

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

28th Legislative Day

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Speaker Lang: "The House will be in order. Members will be in their chairs, please. We shall be led in prayer today by Reverend Martin Woulfe who is with The Abraham Unitarian Universalist in Springfield, Illinois. Reverend Woulfe is the guest of Representative Poe. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and arise for the invocation and Pledge of Allegiance. Reverend Woulfe."

Reverend Woulfe: "Let us pause and let us pray. Oh God, eternal heart, You are the source of love and the source of life, for this we are grateful. We are reminded that for everything there is a season. Just as there is a winter surely there will be spring and there will be hope. As we stand in the shadow of Mr. Lincoln, who once deliberated among colleagues such as you, may we be reminded of his words of wisdom that a house divided cannot stand, that posterity and province watch over us. As we walk through these days and seasons mindful of the conflict that's rent this country asunder 150 years ago and the sacrifices made on the battlefield, and the contests, and all the Houses of Representatives and Senates across this great land, may we remember those sacrifices and ask that they not have been in vain. As you, the Members of this House, navigate through your deliberations, may we be mindful of all that has gone before, the ideals, and the qualities exhibited by Mr. Lincoln, himself, in particular his magnanimous spirit, the conviction that might... that right makes right, that the weak should be protected, and that equality should be

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promoted for all. Thus, may we further the blessings of creation, Amen."

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

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

Speaker Lang: "Roll Call for Attendance. Mr. Bost, we'll start with you."

Bost: "All right. Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker Lang: "Thank you. Leader Currie."

Currie: "Thank you, Speaker. There are no excused Democrats to report today."

Speaker Lang: "Thank you. Mr. Clerk, take the record. There are 118 Members, all Members of the House are present today, we have a quorum. The Chair recognizes Representative Bellock."

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

Speaker Lang: "Please proceed."

Bellock: "Thank you. Again, I'd like to remind everybody that today is Alzheimer Day at the Capitol. And a lot of the Alzheimer advocates from around the entire State of Illinois and a lot from your districts are going to be down at Lieutenant Governor Shelia Simon's office, Room 214, from 1:00 to 2:30, and they do have complimentary lunches for anybody that would like to stop in. Thanks so much."

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Speaker Lang: "Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 13, 2013: recommends be adopted, referred to the floor is Floor Amendment #10 to House Bill 1156, Floor Amendment #9 to House Bill 1157, Floor Amendment #1 to House Bill 2311, Floor Amendment #1 to House Bill 2327, Floor Amendment #1 to House Bill 2411, Floor Amendment #1 to House Bill 2413, and Floor Amendment #1 to House Bill 2428. Representative Verschoore, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on March 12, 2013: do pass Short Debate is House Bill 172, House Bill 1138, House Bill 1569, House Bill 2273, House Bill 2374... correction... House Bill 2574, House Bill 2619, House Bill 2703, House Bill 2704, House Bill 2709; recommends be adopted is Floor Amendment #1 to House Bill 1651. Representative Monique Davis, Chairperson from the Committee on Insurance reports the following committee action taken on March 12, 2013: do pass Short Debate is House Bill 2290; do not pass pursuant to House Rule 22(g) is House Bill 20. Representative Beiser, Chairperson from the Committee on Transportation: Regulation, Roads & Bridges reports the following committee action taken on March 12, 2013: do pass Short Debate is House Bill 2455, House Bill 2741; do pass as amended Short Debate is House Bill 2382, House Bill 2489; recommends be adopted is House Joint Resolution #21. Representative Phelps, Chairperson from the Committee on Public Utilities reports the

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following committee action taken on March 12, 2013: do pass Short Debate is House Bill 2586, House Bill 2623; do pass as amended Short Debate is House Bill 2494, House Bill 2529; recommends be adopted is Floor Amendment #1 to House Bill 1745. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on March 13, 2013: do pass Short Debate is House Bill 29, House Bill 1046, House Bill 2452, House Bill 2661, House Bill 2675, House Bill 2744, House Bill 2786, House Bill 3075; do pass as amended Short Debate is House Bill 104; recommends be adopted is Floor Amendment #1 to House Bill 2009, and House Resolution 80. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action taken on March 13, 2013: do pass Short Debate is House Bill 1238, House Bill 1345, House Bill 2492, House Bill 2822, House Bill 2829, House Bill 3057; do pass as amended Short Debate is House Bill 2351, House Bill 2399, House Bill 2563; recommends be adopted is Floor Amendment #1 to House Bill 1011, Floor Amendment #1 to House Bill 1809. Representative Zalewski, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on March 13, 2013: do pass Short Debate is House Bill 2517, House Bill 2637, House Bill 2638, House Bill 2777, House Bill 2778; do pass as amended Short Debate is House Bill 2996. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on March 13, 2013: do pass Short Debate is House Bill 2213, House Bill 2267, House

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Bill 2420, House Bill 2762, House Bill 2880, House Bill 2966, House Bill 3070; do pass as amended Short Debate is House Bill 946, House Bill 1225, House Bill 1446; recommends be adopted is Floor Amendment #1 to House Bill 3. Representative Nekritz, Chairperson from the Committee on Judiciary reports the following committee action taken on March 13, 2013: do pass Short Debate is House Bill 1561, House Bill 2374, House Bill 2404, House Bill 2446, House Bill 2640, House Bill 2647, House Bill 2691, House Bill 2763, House Bill 2898, House Bill 2916, House Bill 3014; do pass as amended Short Debate is House Bill 131, House Bill 1047, House Bill 1063, House Bill 2265, House Bill 2771, House Bill 2897; recommends be adopted is Floor Amendment #1 to House Bill 1918. Representative Daniel Burke, Chairperson from the Committee on the Executive reports the following committee action taken on March 13, 2013: do pass Short Debate is House Bill 2396, House Bill 2506, House Bill 2520, House Bill 2843, House Bill 2862; do pass as amended Short Debate is House Bill 1292. Introduction of Resolutions. House Resolution 146, offered by Representative Evans and House Joint Resolution #26, offered by Representative Evans, is referred to the Rules Committee."

Speaker Lang: "Mr. Walsh, for what reason do you rise, Sir?"

Walsh: "A point of personal privilege, Mr. Speaker."

Speaker Lang: "Please proceed."

Walsh: "I'd like to take a chance to welcome Joliet's own university, University of St. Francis has a faculty member

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and three of their students down here to visit us today.
And I wish to welcome them down to Springfield."

Speaker Lang: "Welcome to Springfield. We're happy you're here.

Mr. Moffitt, for what reason do you rise, Sir?"

Moffitt: "Rise for a point of personal privilege."

Speaker Lang: "Please proceed."

Moffitt: "I'd like to inform the Members. I hope you all received a copy of the House task force on EMS funding. It was distributed to your offices. Please let me know or Representative Chapa LaVia if you did not get a copy. We've distributed these; we've held 17 hearings around the state, 24 Members of the House were on that, and Representative Lisa Dugan and I cochaired that. The first 6 recommendations we've... are working on or have been implemented and then the next up to 7 through 16 are working on this spring Session. So, take time to look at that. Hope you take... Again, we thank the Speaker and the Leader for appointing the Members and the support of having this task force. Second item, a week from today is our tentative plan to have the Fire Caucus breakfast. You'll get official notice. Thank you."

Speaker Lang: "Thank you, Mr. Moffitt. Mr. McAuliffe."

McAuliffe: "A point of personal privilege."

Speaker Lang: "Please proceed, Sir."

McAuliffe: "Thank you, Mr. Speaker. Up in the gallery, we have former Repre... former Representative Joe Lyons who was nice enough to always bring Harrington corned beef, and keeping with that tradition along with Representative Kelly Burke, Representative Jim Durkin, Representative Marty Moylan that

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came up and asked if we can provide corned beef, which we are. Also, carnations and cupcakes are also available. And I'd like to thank Representative Martwick for his hospitality. Harrington's Beef is located in his district in the City of Chicago. I'd like to thank Mr... or Ken at Harrington's corned beef for providing it for us. And also, for Joanne, from Flower Fantasy World, for the beautiful carnations that are also here today. So, please enjoy your corned beef and your corsages and Happy St. Patrick's Day to all. Thank you."

Speaker Lang: "Mr. Davidsmeyer."

Davidsmeyer: "A point of personal privilege."

Speaker Lang: "Please proceed."

Davidsmeyer: "Today we have with us a few students from Lafayette Academy in Jacksonville, and they're escorted here by their Superintendent, Jeff Stephens, and their director, Chris Harper. And I just want to welcome them."

Speaker Lang: "Thank you, Sir. The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. The Republicans request an immediate caucus."

Speaker Lang: "And how long would you like for that caucus, Sir? Don't... don't give me one time and show up a half hour later. Give me a time."

Bost: "About four hours."

Speaker Lang: "So, the House..."

Bost: "I'm just..."

Speaker Lang: "The House will be in recess to the hour of 1:00."

Bost: "Oh, that's a wonderful time."

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Speaker Lang: "That ought to do for you, Sir."

Bost: "Yes, that's really great. Okay."

Speaker Lang: "The Republicans will caucus in Room 114 immediately. The House will be in order. Members will be in their chairs. The Chair recognizes Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please proceed, Sir."

Sacia: "Ladies and Gentlemen, in the gallery behind me today are two members of the Jo Daviess County Board. They're part of their legislative committee, Merri Berlage and Randy Jobgen. And the good news about both of them is we have one Republican and one Democrat here lobbying on several very important Bills today. Would you join me in acknowledging them, please?"

Speaker Lang: "Welcome to Springfield. Ladies and Gentlemen, on page 2 of the Calendar, under the Weekly Order of Business-Second Reading, there appears House Bill 1155. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1155 was read a second time on a previous day. Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 14, and 27 were previously adopted to the Bill. Amendment #38 is offered by Representative Will Davis."

Speaker Lang: "The Chair recognizes Representative Will Davis on Amendment 38. Take a deep breath first, Sir."

Davis, W.: "Thank you very much, Mr. Speaker. Sorry, Ladies and Gentlemen of the House, for the delay. Amendment #38 is an initiative that we started last year that's carrying over into this broader debate about guns. This is an Amendment that requires registration of handguns. And simply put, it

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says that all hand... handgun owners must register each handgun with the Illinois State Police including make, model within 90 days. Licensed dealers must register on behalf of buyers within 20 days of sale. Sales transfers between private parties requires the seller to assign a certificate of registration to the buyer and the buyer must then register the handgun with the Illinois State Police within 20 days. There are some exemptions from this registration requirement that apply to law enforcement, military manufacturers, firearms dealers, and there are limited exemptions, also, for nonresidents, hunters, and competitive shooters. And then, there are some penalties for failure to register your firearm within a timely manner. I'd be more than happy to answer any questions."

Speaker Lang: "The 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? Record yourselves, Members. Have all voted who wish? Please record yourselves. Brady, DeLuca, Fortner, Hays, Ives, Kosel, Pihos, Sandack, Sosnowski. Please take the record. On this question, there are 56 voting 'yes', 53 voting 'no', 1 voting 'present'. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #39 is offered by Representative Sims."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #39 requires mental health

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evaluations for individuals who are seeking to receive a FOID card. So, at the time of the application for the FOID card or for the renewal of a FOID card, an individual has to provide certification that they have... that they have seen and been cleared by of health... a mental health professional making sure that they are not a danger to themselves or to others. This is in direct response to a number of... a number of commonsense discussions we've had about have... making sure the individuals who are in possession of weapons in this... in this state are mentally... have sound mental health. So, this... this Amendment allows and calls for those individuals to submit to that... submit to the professional and then have provide that certification to the State Police. The Illinois State Police are only allowed to use that certification for the purposes of determining whether not that person is stable enough to have a FOID card. Mr. Speaker, I move for its adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, are there any other states that require a psychiatric evaluation for one to own a firearm?"

Sims: "There are no... currently there are no other states that require this... this screening."

Franks: "And why do you think we would need to have that?"

Sims: "Well, Illinois is forward-thinking first and foremost, but also, I believe that the Seventh Circuit was very clear

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that nothing in their ruling would require or go against the prohibition against mentally ill having firearms."

Franks: "That's correct. But don't we have procedural safeguards right now where if one has a problem, a mental issue... a mental health issue, that that person would be barred from having a FOID card and the ability to own a firearm, correct?"

Sims: "Currently, under our current system, the program we have now is reactive. This a proactive attempt for us to ensure that those individuals who are a danger to themselves or to the general public do not obtain the FOID... a FOID card. In addition, if there is a change in their mental health upon renewal, the individual has to also have that certification given to the State Police."

Franks: "But shouldn't there be some probable cause for one to have to have this type of evaluation instead of... because with that type of argument, you could send it with everyone who's driving as well that everyone who drives a car in this state should have to have a mental evaluation."

Sims: "Representative, I will say this to you. The gentleman who was the shooter in the Oh... Aurora, Colorado shooting had seen three mental health professionals. He was never... He was legally in possession of the weapons that he had, but he was never kept from having those weapons because... because he obtained... because he did not have to submit to these kinds of agreements."

Franks: "But... but in that case, wasn't... he didn't actually own any firearms. Weren't those firearms owned by his mom, and then he obtained those illegally?"

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Sims: "No. I think you're confusing New... Connecticut with Colorado."

Franks: "Oh. I'm sorry. But let's assume... let's go back to that example."

Sims: "Sure."

Franks: "See... So, this individual met with three separate mental health professionals, correct?"

Sims: "Correct."

Franks: "And none of them said that this person was a danger to himself or society and should not hold... not... should not have a gun."

Sims: "Wha... No. I... I don't... don't know that I agree with that. I think they... each... they... there were determinations and discussions about whether or not his mental health and whether or not he was a danger to the campus at large. So, I think that's some of... some of the items that they're discussing now. But under this..."

Franks: "But no one prohibited it, though."

Sims: "...under this... under this Bill, it will require the individual to prove if he is a danger to himself or to others and to provide that certification to the State Police. It allows for the mental health professional to immediately inform the State Police if the individual is incapable of having that firearm. If he is, he does not have the mental capacity to have a firearm."

Franks: "But how does it work now? Let's assume you have someone who you... who one considers might be mentally unstable. How is that person treated in the system now?"

Sims: "The cur..."

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Franks: "Does the sheriff contact the State Police? Does a mental health provider contact the State Police?"

Sims: "Currently, there... there's no provision that would... that would preclude the individual from having the firearm. Right now, as I said before, this... we are reactive in nature. The only way that you can be denied the firearm... the Firearm Owner's Identification card is if you have been adjudicated mentally defective or involuntarily committed. So, this... under this legislation, we would... we would have that... have the individual have to prove whether or not they are a danger to themselves or others, and then if they are, they would be precluded from having it or to apply for a FOID card."

Franks: "But... but this would be anybody regardless if they have any history... prior history of mental health, correct?"

Sims: "That's correct."

Franks: "Okay."

Sims: "As long as they are determined by the mental health professional that they are a danger to themselves or to others, they have a history of violent behavior, or..."

Franks: "I get it."

Sims: "...they cannot provide for their basic needs."

Franks: "Okay. But wouldn't it make more sense to strengthen the law that we have now with the mental health and to allow mental health providers and... and/or sheriffs before there's an adjudication..."

Sims: "Well, Representative..."

Franks: "...to do this red flag. Because right now, I think what you're asking for is very burdensome and costly and

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probably unnecessary for the vast, vast, vast majority of folks. But I think we could get to what you want by strengthening the laws as we have but not changing. But what you're really doing here is you're changing the burden of proof. You're trying to have everybody prove they're sane instead of those that people think might have a problem to prove that they don't have a problem. And I think the burden shifting here is onerous and unnecessary."

Sims: "Well, Representative..."

Speaker Lang: "Mr. Sims, before you proceed. Ladies and Gentlemen, could we please hold the noise down in the chamber. Please. We've got many Amendments to go through today. If we are continuing to talk, we won't hear, people will ask questions twice. Let's move through this as expeditiously as we can. Mr. Sims, will you respond, and Mr. Franks will you bring your remarks to a close, Sir."

Franks: "Sure."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker. Well, Representative, I would argue first that this is the strengthening of what our current process is. In addition, the only way we can ensure that we're going to have those screenings is to put this process in place. If we're going to make sure that we have... have this process for individuals who are or dangerous to themselves or to the public, we have... we're going to have to put some safeguards in place. And I think this... this will do it."

Franks: "Thank you, Mr. Speaker. To the Amendment, then. I really appreciate my friend answering the questions. I

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understand what he's trying to do, and I appreciate it. And I think that we need to tighten up the mental health standards. I think, though, with the shift on the burden here, I think it goes too far. I think we can get to the same bottom line that you're looking for by changing some other aspects. So, I'll respectfully be voting 'no', and work with the Sponsor to create something that I think will be more palatable."

Speaker Lang: "Mr. Phelps."

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

Speaker Lang: "Gentleman yields."

Phelps: "Representative Sims, can you tell the... can you tell the Body how much one of these evaluations costs?"

Sims: "Well, it really depends on the professional."

Phelps: "Would you agree that some of them are upwards of \$1 thousand?"

Sims: "I... I wouldn't... Again, I wouldn't know that. It would depend... it depends on the professional."

Phelps: "Do you, also, know how many background checks are done by... on a person each... during a year? Do you know how many background checks, Representative?"

Sims: "Representative Phelps, this is different than a background check. This just talks..."

Phelps: "No, no."

Sims: "...specifically to an individual's mental health."

Phelps: "Not necessarily because every... every year there are 360 background checks done on an average person that has a FOID card. With the NIC system, with the Illinois State Police, they bounce it off the criminal records index, and

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they, also, bounce it off the mental health admissions that DHS puts out. That's 360 background checks done in a year per person. And then, you're asking us to vote on something where we have to go to a psychiatrist and get their approval. I... I just think it's absolutely ridiculous. This is going to be upwards of a thousand dollars per person. They're trying to drive the cost up. I just urge a 'no' vote."

Speaker Lang: "Mr. Costello."

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

Speaker Lang: "Sponsor yields."

Costello: "My concern here is we're making a constitutional right a socioeconomic situation. And I agree with Representative Phelps. I mean, whatever number you want to throw out there, you're saying you don't know what one of these evaluations would cost, but you're saying that a citizen would have to go through one of these evaluations in order to have a concealed carry permit, correct?"

Sims: "That's correct. A FOID card."

Costello: "I have... I have a huge issue with that. Also, I agree with Representative Phelps as well, the NIC system and the ISP, they do an evaluation nightly. So, at least every 24 hours, if somebody has seen a professional about a mental illness or if they're prescribed, you know drugs, pertaining to mental illness, I believe that shows up. That's a huge concern for me. And I will not be supporting this Amendment. I encourage my colleagues to vote 'no'. Thank you."

Speaker Lang: "Representative Senger."

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Senger: "Thank you, Mr. Speaker. I'd like the record to reflect the vote on the last Amendment to be a 'present'."

Speaker Lang: "The record will reflect your intentions. Mr. Sims to close."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Again, this is a commonsense response to what really is an attempt to be proactive in our... in our regulation of the mental health of individuals who are walking around with guns on our streets. The Seventh Circuit has made it very clear that this... that there's nothing in their decision that would prohibit an individual from having a firearm. There's nothing in their decision that prohibits the mentally ill from having a firearm that would allow... that stands in the way of that. So, what we are doing here is really allowing for some commonsense, proactive activity on behalf of the State of Illinois. So, I would urge each one of my colleagues to support this... support this Amendment because it really will keep guns out of the hands of the individuals who are not mentally capable of having them. Thank you, Mr. Speaker. I move for its adoption."

Speaker Lang: "The 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? Have all voted who wish? Please take the record. On this question, there are 37 voting 'yes', 65 noting no... voting 'no', and 6 voting 'present'. And the Amendment fails. The Chair recognizes Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. I rise for a point of personal privilege, if you'd allowed in..."

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Speaker Lang: "Please proceed, Sir."

Moffitt: "We have a very special guest with us up in the balcony over here on the east side. This is... I'd like to introduce Kenny Wallace who's... Kenny's Nationwide Series accomplishments include 9 wins, 10 poles, and 10 seasons, in the top 10 driver points. Kenny's the only driver to have won the Nationwide Series most popular driver award three times in '91, '94, and '06. Kenny ranks as one of the... with the most starts in NASCAR Nationwide Series history. Would you make Kenny Wallace welcome to the Illinois House?"

Speaker Lang: "Welcome to Springfield, Sir. Please proceed with this Bill, Mr. Clerk."

Clerk Hollman: "Floor Amendment #40 is offered by Representative Zalewski."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. I offer Floor Amendment #40 to House Bill 1155. It simply says that for a person to... if a person knows that they are dealing with someone... living with someone who is... is prohibited from owning a firearm, they have to provide for a trigger lock upon the firearm's storage unit. I'd ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. There being no debate, 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

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are 59 voting 'yes', 49 voting 'no', 1 voting 'present'.
And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #41 is offered by
Representative Feigenholtz."

Speaker Lang: "Representative Feigenholtz. Representative
Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I rise to adopt House
Amendment #41 which requires each FOID applicant to
disclose to the Illinois State Police whether he or she
currently lives with a person who has a felony conviction,
a domestic battery conviction, an order of protection, or
stalking no contact order, has been diagnosed with mental
illness in the past five years or adjudicated with such
defect and is... or is prohibiting obtaining... and prohibits
obtaining or has had a FOID card revoked. I'd be glad to..."

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

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

Speaker Lang: "Yes, she will."

Franks: "Representative, what's the purpose of this
disclosure?"

Feigenholtz: "It's for notification to the State Police."

Franks: "Well, what will they do with it? So, let's assume you
live with someone who has a felony conviction or a domestic
battery conviction, so they have this information. What are
they going to do with that information?"

Feigenholtz: "It's a precautionary measure, Representative
Franks. It's a disclosure measure."

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Franks: "But would it bar the applicant from obtaining a FOID card, if they lived with someone with one of these enumerated issues?"

Feigenholtz: "It will not."

Franks: "I'm just not sure what it will do. When you say it's precautionary, how would it be precautionary?"

Feigenholtz: "Representative, this is actually current law. Section 2, 4, 7, and 8 or... some of these provisions... I'm sorry. It's not current law, but the prohibitors are already our current law."

Franks: "Right. The prohibitors are already current law. So, this isn't giving any additional information except that you might live with someone who is prohibited. Well, what happens if you didn't know that the... let's say you're living in a house and you didn't know that one of the roommates had a felony conviction or a domestic battery conviction, would that nullify your ability to get a FOID card?"

Feigenholtz: "If they know, Representative, obviously, there's no duty to disclose. If they don't know, they don't know."

Franks: "If they don't know. But let's... what's the penalty if they do know, and they don't tell? What happens if they don't want to talk about their roommate's felony conviction?"

Feigenholtz: "Nondisclosure... willfully nondisclosing is a Class A misdemeanor."

Franks: "And would that prohibit the person from getting a FOID card?"

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Feigenholtz: "If anything willfully is not disclosed or held... withheld, yes."

Franks: "What happens if the felony conviction, for instance, was more than 20 years old and it could be expugnable or in the process of being expunged but not yet been expunged. And you didn't want to disclose that because it could be embarrassing, it could be a spouse, for instance, and you know, just two of you live together."

Feigenholtz: "If they live together and they know this, Representative Franks, they have a duty to disclose it, no matter how long it's been."

Franks: "How do you define being a mental patient?"

Feigenholtz: "It is a dia... has a Diagnosis Code. It's a diagnosis."

Franks: "Does it... does it have to be an inpatient? Or could it be an outpatient?"

Feigenholtz: "I believe that any... that... that a diagnosis of mental illness is not discerned between in and outpatient."

Franks: "So, if you live with someone who, perhaps, has seasonal disorder because there's not enough sunlight and that's something you think would be necessary for the State Police to know?"

Feigenholtz: "I don't believe that that is a mental illness, Representative Franks. I think that's..."

Franks: "Well, that's what I'm trying to find out."

Feigenholtz: "I think this..."

Franks: "Is depression mental illness because seasonal disorder could be seen as depression?"

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Speaker Lang: "Mr. Franks, can you bring your remarks to a close after this answer, Sir?"

Franks: "Sure."

Speaker Lang: "Thank you."

Franks: "I was waiting for the answer."

Feigenholtz: "Are you... are you still asking me about whether or not seasonal disorder is..."

Franks: "Well... well, I think we..."

Feigenholtz: "I thought I answered your question. It's a no."

Franks: "Okay. Well, I'm not sure what this would actually do. I'm not sure the purpose because everyone who's already enumerated cannot get a FOID card now and it seems that we're trying to do somehow guilt by association if you happen to live with someone who is prohibited. I'm just not sure what the State Police interests would be in having this information that they already possess. And what you're asking for them is to say, since you live them, this person, you should... they should get it again. So, I just don't know what we're trying to accomplish here."

Feigenholtz: "This is about disclosure of someone you live with."

Franks: "Well, as I said, it's a bit of a slippery slope then."

Feigenholtz: "So, if you have a gun, and you live with this person and you know any of these enumerated items, you would, if you knew, have to disclose."

Franks: "Well, it would probably easier just to say yes to everything then, and say yes everybody I live with is all of these things, so what? Again, so if you answer yes, it's not going to make any difference to the State Police. So,

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should this pass, I would encourage everyone to say yes on every one of these questions and just disclose because they're not really going to use it anyway."

Speaker Lang: "Representative Feigenholtz... Excuse me. The Chair recognizes Mr. Reis."

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

Speaker Lang: "Lady yields."

Reis: "Representative Feigenholtz, I'm listening to this with intrigue. How would this or would this violate federal HIPAA laws?"

Feigenholtz: "It doesn't violate HIPAA because it is a law enforcement disclosure not a public disclosure."

Reis: "But still, there are certain things that have to be kept quiet and HIPAA laws protect that. So that's one issue, I think it violates federal HIPAA laws. And second of all, this might affect someone's insurance. Stuff gets violat... released that maybe they didn't mean to get released."

Feigenholtz: "This is not public disclosure, Representative Reese. This is confidential disclosure to law enforcement."

Reis: "Representative Feigenholtz, I mean, you call me Reese. I call you Feigenholtz. I think we're going down a very slippery slope here of... of what can and can't be. And you're one of the best protectors of... of HIPAA laws with the Medicaid changes and things that we've tried to implement over the last couple of years. So, I think that this goes too far and that it would be in violation of federal HIPAA laws."

Speaker Lang: "Representative Feigenholtz to close."

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Feigenholtz: "Ladies and Gentlemen of the House, if somebody who is allowed to have a FOID card is living with someone who shouldn't have an FOID card, this is an Amendment that addresses the elements of that. It is merely about disclosure. I'd appreciate an 'aye' vote."

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? Have all voted who wish? Please record yourselves, Members. Please record yourselves. Please take the record. On this question, there are 41 voting 'yes', 61 voting 'no', 4 voting 'present'. And the Amendment fails. Mr. Clerk."

Clerk Hollman: "Floor Amendment #42 is offered by Representative Acevedo."

Speaker Lang: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #42 requires a person to report the loss or theft of his or her firearm within 72 hours, and a failure to do so would be a petty offense or a Class A misdemeanor for subsequent offense of your FOID card subject to revocation or seizure."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, I think this is a good idea. My only question is... is there a knowing requirement because sometimes I don't pick up my gun for a while, and I don't...

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I wouldn't know if it was lost or stolen unless I went back to the cabinet to see if it was there."

Acevedo: "Yes. It's upon discovery of the lost or the stolen weapon."

Franks: "Okay. So... so, if a... if the robbery might have occurred on a... on a Sunday night or something, and I didn't check my... I wasn't going to go shooting for a couple weeks and it would... it would be upon my discovery that it was gone that the 72-hour clock would begin to toll."

Acevedo: "Well, sure, Representative. It's like your... your house is broken into in May, and you go on your summer-long Mexican vaca... Mexico vacation..."

Franks: "Sure."

Acevedo: "...like you usually do."

Franks: "Right."

Acevedo: "And when you come back, you can report it."

Franks: "But here's my point, though. But let's assume it got stolen, and I didn't know about it. And I didn't... I was in Mexico with you; we were marlin fishing, right. But while we're fishing, someone uses the gun and commits a crime. And then, it gets traced back to my house. I didn't know about it because I was with you fishing. I just want to make sure I'm not going to get in trouble."

Acevedo: "I would be your alibi then, Representative."

Franks: "I'm sorry."

Acevedo: "I said I would be your alibi knowing that you'd be in Mexico with me marlin fishing."

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Franks: "Perfect. I... I... Now, we have another follow-up question. All right. I'll let somebody else ask that. Thank you."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. To the Amendment. I... I just want everybody to be aware. I think what we're trying to do here is go after... I hope what we're trying to do here is to go after the criminals. But this Amendment only applies to people that have a FOID card. So, if a criminal has a lost or stolen gun, we're not asking them to report because they don't have to. This only applies to people that are law-abiding gun owners that been through the background check. So, what about the bad guys? Let's not go after the good guys and that's what this Amendment does. Vote 'no'."

Speaker Lang: "Leader Acevedo to close."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In an answer to the last speaker's question, it is already a criminal offense to possess a weapon without a FOID card. And Ladies and Gentlemen, be perfectly... let's be perfectly honest about this, why wouldn't you want to report if someone stole your gun or you lost it. What if it is committed in... in a crime of a bank robbery or a murder, wouldn't you want them to clear your name? And that's all we're asking. Just report it; you have 72 hours from... and remember, that's the time of discovery. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Gentlemen's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 59 voting 'yes', 50 voting 'no'. And the Amendment is adopted. The Chair recognizes Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker. I'm trying to inquire as of... how is it that we're at Amendment #42 or 43 in this case, and we skipped over Amendment #20?"

Speaker Lang: "The Amendments that are on the floor, Sir, are the Amendments that have been released from the Rules Committee."

Dunkin: "Okay. So, how about if we go in numerical order, the correct way because about a week ago we left off, I believe, at 14, 15. I have Amendment #20 and somehow we jumped up to the 40s. Most people on..."

Speaker Lang: "I..."

Dunkin: "...this floor were waiting on Amendment #20. So, Mr. Speaker, because so many of my colleagues on this side and probably especially that side of the aisle was looking forward to Amendment #20 which requires handgun licenser... licenses to maintain insurance, a million dollars of insurance to be exact. Can we go back and hear my Amendment? This Body is anxiously awaiting Amendment #20, Mr. Speaker."

Speaker Lang: "Mr. Dunkin, I suggest you contact the chairman of the Rules Committee."

Dunkin: "And who might that be? Can you refresh my memory? Who might that be? Is it Barbara Flynn Currie? Is it Frank Mautino? Is it Monique Davis? Is it Mike Bost?"

Speaker Lang: "Mr. Dunkin, we're going to..."

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Dunkin: "Can you let my Amendment go?"

Speaker Lang: "Mr. Dunkin, we're going to proceed now, Sir. Is that all right?"

Dunkin: "All right."

Speaker Lang: "The Chair recognizes Mr. Riley."

Riley: "Thank you, Mr. Speaker. In all the excitement on the floor, I almost forgot what I wanted to do. I'd like to reflect that my vote on... on Amendment #39, the Sims Amendment, to 'present'."

Speaker Lang: "The record will reflect your intentions, Sir. Mr. Clerk."

Clerk Hollman: "Amendment #43 is offered by Representative Currie."

Speaker Lang: "Leader Currie who is the chairman of the Rules Committee."

Currie: "Thank you. Thank you, Speaker and Members of the House. Amendment 43 deals with the cost of a FOID card; what we have to pay if we want a Firearm Owner's Identification card in the State of Illinois. The fee which averages one dollar a year was approved in 1968. I just did the cost-of-living calculator. One dollar in 1968 is worth well over \$6.50 today. Amendment 43 would increase the fee by four dollars a year. Four dollars a year isn't even close to the cost of inflation. The increased money would be used in several ways. First, it would help with the mental health background check. When the State Auditor General did a report on the state Firearm Owner's Identification program, he discovered that only 3 percent of the counties were even reporting mental health data to

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the State Police. This increased fee would help solve that problem. When he looked at the operations of the State Police, he discovered that even though they were revoking a number of FOID cards, only 30 percent of the people whose cards were revoked were turning them in, and the State Police did not have the... the personnel, the wherewithal to go out and do the collection themselves. Eighty-five percent of the time during the last quarter of 2010, 85 percent of the time calls to the customer service hotline went unanswered. And the amount of overtime that is spent by the State Police trying to make the FOID card an effective system, way, way, way a lot of overtime. So, if we were to increase the fee just this little bit, just this little bit that doesn't even keep up with inflation, we can make for a FOID card system that will catch mental health problems, will operate effectively and efficiently, won't leave applicants hanging because the State Police can't get the job done in a timely fashion. I urge your 'aye' vote."

Speaker Lang: "The 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? Please record yourselves, Members. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 48 voting 'yes', 55 voting 'no', 1 voting 'present'. And the Amendment fails. Mr. Clerk."

Clerk Hollman: "Amendment #44 is offered by Representative Cassidy."

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Speaker Lang: "That Amendment is withdrawn, I believe. That Amendment is withdrawn. Mr. Clerk."

Clerk Hollman: "No further Amendments have been approved for consideration. No Mo..."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. The Chair recognizes Mr. Reboletti."

Reboletti: "Mr. Speaker, I would ask that on House Bill 1155 that the Clerk read the Amendments and the status of each one of those Amendments."

Speaker Lang: "Ladies and Gentlemen, Ladies and Gentlemen. Mr. Clerk, please start with Amendment 1 on House Bill 1155. And as rapidly as you can, while Mr. Reboletti listens, go through the Amendments and give him the status."

Clerk Hollman: "To House Bill 1155. Amendment #1 was adopted. Amendment #2 was adopted. Amendment #3 was adopted. Amendment #4 was adopted. Amendment #5 was adopted. Amendment #6 was adopted. Amendment #7 was adopted. Amendment #8 was adopted. Amendment #9 was adopted. Amendment #10 failed. Amendment 11 failed. Amendment 12 failed. Amendment 13 was withdrawn. Amendment 14 was adopted. Amendment 15 was withdrawn. Amendment 16 was withdrawn. Amendment 17 was withdrawn. Amendment 18 was withdrawn. Amendment 19 was withdrawn. Amendment 20 was withdrawn. Amendment 21 was withdrawn. Amendment 22 was withdrawn. Amendment 23 was withdrawn. Amendment 24 was withdrawn. Amendment 25 was withdrawn. Amendment 26 was withdrawn. Amendment 27 was adopted. Amendment 28 is in the Rules Committee. Amendment 29 is in the Rules Committee. Amendment 30 is in the Rules Committee. Amendment 31 is in

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the Rules Committee. Amendment 32 is in the Rules Committee. Amendment 33 is in the Rules Committee. Amendment 34 is in the Rules Committee. Amendment 35 is in the Rules Committee. Amendment 36 is in the Rules Committee. Amendment 37 is in the Rules Committee. Amendment 38 was adopted. Amendment 39 failed. Amendment 40 was adopted. Amendment 41 failed. Amendment 42 was adopted. Amendment 43 failed. And Amendment 44 was withdrawn."

Speaker Lang: "The Chair recognizes Mr. Acevedo."

Acevedo: "Mr. Speaker, I'll wait 'til after this is cleared up."

Speaker Lang: "Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. Inquiry of the Clerk. I would like to know the status of each note that has been placed on each Amendment on House Bill 1155."

Speaker Lang: "The Chair rules your request dilatory. Mr. Reboletti."

Reboletti: "I move to appeal the ruling of the Chair on that last ruling... on Representative Durkin's Motion."

Speaker Lang: "Mr. Clerk, House Bill 1157."

Clerk Hollman: "House Bill 1157 is under the Order of Third Reading."

Speaker Lang: "Please put this Bill on the Order of Second Reading. Read the Bill."

Clerk Hollman: "House Bill 1157, a Bill for Act concerning criminal law was read a second time on a previous day. No Committee Amendments. Floor Amendment #9 has been approved by... for consideration. Floor Amendment #9 is offered by Representative Cassidy."

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Speaker Lang: "Representative Cassidy on Amendment 9."

Cassidy: "Thank you, Mr. Speaker, Members of the House. I'd like to ask that... I'd like to ask for adoption of House Amendment 9 to House Bill 1157. This Amendment will simply require responsible and safe storage practices for firearms such as semiautomatic and military-style weapons. These are... This would only require a trigger lock or a gun safe to be used when the gun is not in the immediate possession or under the control of the owner. An unsecured firearm is far more likely to be used in an accidental shooting, suicide, or a shooting related to a theft of a weapon than for self-defense. Seventy-five percent of minor suicides... This is... this is actually a very important piece of information I want you to hear. Seventy-five percent of minor suicides involve a weapon found unsecured in the home of a parent or relative. I ask for your favorable support."

Speaker Lang: "Representative Cassidy, have you completed your comments?"

Cassidy: "Would you like to hear them again?"

Speaker Lang: "No. Mr. Bost has requested an immediate Republican caucus. How long will that take, Sir?"

Bost: "Could be two hours."

Speaker Lang: "The House will be at ease 'til the hour of 3:00. The Republicans will caucus in Room 114. The House will be in order. The House will be in order. The Chair recognizes Mr. Reboletti."

Reboletti: "Mr. Speaker, I made a Motion to override the Chair on Representative Durkin's Motion then ruling of reading the notes as being dilatory."

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Speaker Lang: "The question is, 'Shall the Chair be overruled?'
The question is, 'Shall the Chair be overruled?' Those in
favor of the Gentleman's Motion vote 'yes'; opposed 'no'.
The voting is open. Mr. Clerk, please take the record. On
this question, there are 65 voting 'yes', 46 voting 'no', 1
voting 'present'. And the Chair is sustained. The Chair
recognizes Mr. Moffitt. Mr. Moffitt."

Moffitt: "Mr. Speaker, is there an order for a very brief
personal privilege."

Speaker Lang: "For you, Sir, please proceed."

Moffitt: "A little bit ago, we introduced Kenny Wallace, and
it's an honor to have him in the chamber. Tomorrow morning,
at 9:30, he will be in my office for a little meet and
greet, 9:30 tomorrow morning a chance to meet Kenny
Wallace, probably get a picture, my office. Thank you."

Speaker Lang: "The Chair recognizes Mr. Reboletti."

Reboletti: "Mr. Speaker, I was thoroughly confused. You said
should the Chair be... you put up should the Chair be
sustained, but then you asked the question should the Chair
be overruled. I think a revote would be in order based on
the confusion that the Members had."

Speaker Lang: "Mis..."

Reboletti: "I would ask..."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Mr. Speaker."

Speaker Lang: "The board said what it said. People voted the
way they voted. We're going to proceed."

Reboletti: "And you said what you said, Mr. Speaker. And so,
because of that confusion, there should be a revote."

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Speaker Lang: "We're going to..."

Reboletti: "Oh. That's right."

Speaker Lang: "...proceed."

Reboletti: "You... the Chair was sustained, so we would ask for the reading of those notes then."

Speaker Lang: "We're going to proceed with House Bill 1157. Representative Cassidy had presented her Motion to adopt the Amendment. On that Motion, the Chair recognizes Mr. Cross."

Cross: "Mr. Speaker, before we move to that, I would like to... We have several Motions to Discharge that were filed, and Representative Reboletti would like to explain those Motions. He was trying to talk, and I know he got cut off. So, I would appreciate yielding... I would yield my time to Representative Reboletti on his Motions to Discharge on behalf of a number of folks that have been working on these issues for a while."

Speaker Lang: "Leader..."

Cross: "Thank you, Mr. Speaker."

Speaker Lang: "Thank you. Leader Cross, we have those Motions here, and we will get to those. But we're in the middle of a Bill at the moment, so as soon as we complete this Bill we'll eventually get to these Motions."

Cross: "Well, I think our... not I think, our lights were on, our Motions to Discharge have been filed. We have been, up to this point, watching the last three weeks, I find it interesting that you use the term 'dilatory' about a half hour ago. Many of us think the exercise over the last two weeks has been dilatory. So, when Representative Reboletti

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files a Motion to Discharge on four pieces of legislation that are meaningful and comprehensive and offering a solution to a variety of issues, we'd like to have those heard."

Speaker Lang: "And they will..."

Cross: "And I think it's appro... I think it's appropriate to have them heard when we stand up and move to have them discharged."

Speaker Lang: "You do not have the right, Sir, to make a Motion at any time and have it heard at any time. We're in the middle of a Bill, but we will get to the Motions."

Cross: "And when we... and when are you planning to get to it, Mr. Speaker?"

Speaker Lang: "As we get to them."

Cross: "No. You know..."

Speaker Lang: "It will be before we adjourn today."

Cross: "Mr. Speaker, can you tell me when you had plan on getting to them."

Speaker Lang: "I... I have no intention of giving you a time and an hour, Sir. The Chair recognizes Mr. Bost. Representative Cassidy had made a Motion. There being no debate, those in favor of the Lady's Motion to adopt the 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? Please record yourselves, Members. DeLuca, Gordon, Harris, Ives, Smith, Sosnowski, Thapedi. Please record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 57 voting 'yes', 58 voting 'no', 1

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voting 'present'. And the Amendment fails. Mr. Clerk, House Bill 1156. Please 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, and 6 have been previously adopted. Floor Amendment #9 & 10 have been approved for consideration. Floor Amendment 9 is offered by Representative Zalewski."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Mr. Speaker, I move for the adoption of Floor Amendment #9 to House Bill 1156. It bans the possession, sale, delivery, receipt, transfer, or purchase of any magazine that has the ability to hold more than 10 rounds of ammunition. There are exemptions within the Bill for law enforcement."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Bost."

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

Speaker Lang: "Gentleman yields."

Bost: "There's been some question on these large magazines. First off, and I guess we need clarification. How many round magazines are we talking?"

Zalewski: "Ten."

Bost: "Ten-round magazines. All right. What about in the case where we have some weapons, some rifles that actually have a tube rather than a magazine and has multiple rounds in it, but it will take more than 10 rounds?"

Zalewski: "If... if the magazine is affixed to the gun, Representative, then this would not apply."

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Bost: "Okay. Will it be all right then if... Maybe I should ask this way. Are we going to... if these are banned, how long do we have to get them out of our homes?"

Zalewski: "One hundred and eighty days after the date... after the effective date of the Bill, Representative."

Bost: "One hundred and eighty days. Now, does this include everyone or is anybody... anyone exempt?"

Zalewski: "So, there's a significant amount of exemptions, Representative, including law enforcement, military, correctional officers, manufacturers, if they're allowed to sell to an exempted party, hunters, competitive shooters, and nuclear facilities. Got to... I..."

Bost: "Nuclear facilities, that's kind of unique there. Did you... did you draft that yourself or did they..."

Zalewski: "I..."

Bost: "Did the nuclear plants come to you and..."

Zalewski: "I have a unique knowledge of that particular aspect of it, Representative."

Bost: "So, if a person holds on to these, still has them in possession, has them in their home or has them in possession anywhere, what is the... what's the charges going to be?"

Zalewski: "It would be a Class A misdemeanor for possession of the magazine."

Bost: "What if you get caught again?"

Zalewski: "I'm..."

Bost: "That's every time."

Zalewski: "I'm sorry. Repeat your last."

Bost: "What if you get caught again? In other words..."

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Zalewski: "Oh. A second offense..."

Bost: "...second offense."

Zalewski: "...is a Class IV Felony."

Bost: "Class IV Felony."

Zalewski: "Yes."

Bost: "So, you're going to make... you're going to make felons of the people in my district, who almost everybody has them, if they don't turn them in, correct?"

Zalewski: "Rep... Representative, what we would say is if they have... if the Bill were to pass and they were to be given notice that they have to turn their weapons in, they would have 180 days to turn them in. If they were found not to turn them in, it's a Class A misdemeanor."

Bost: "Representative, I... I respect you tremendously, but I'm going to tell you that if the Bill like this passes, the chaos that will occur in the rural areas over this, I guarantee you that and I... and I'm... I'm telling you that our law enforcement officers swore to uphold the law, and I believe they will to the best of their ability, how would you like to be a law enforcement officer in deep southern Illinois, and saying I'm coming to get the magazines from your gun today?"

Zalewski: "So, Representative, my answer to you is, a hypothetical, if the time period were 270 days, would you be supportive of the policy?"

Bost: "No."

Zalewski: "So, then..."

Bost: "Because... Because..."

Zalewski: "...what does it matter..."

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Bost: "Okay. I'd left the question of how many days. I'm just telling you that when we do this... when we do this regardless of the time, I don't care if it's tomorrow, I don't care if it's next week, I don't care if it's 180 days, I don't care if it's next year. If you tell the people in the rural areas that believe that they have the right, and... and I pretty well believe that as well, that they... that they don't have the right to have these magazines which they have purchased legally that they keep with their weapons that they use and it doesn't matter whether it's hunting, protecting their home, or whatever they're doing, you are going to send police officers out into our communities, and... and the law says that they would uphold, they took an oath, you know that. And now they're going to go out and demand of these local farmers and their friends, you've got to turn this over."

Zalewski: "So..."

Bost: "If you don't turn it over to me today, then I'm going to charge you with a Class... with a misdemeanor."

Zalewski: "Rep..."

Bost: "Now, if I come back here tomorrow, and I find another one, you're a felon."

Zalewski: "Rep... Representative, I think you're misstating what would... what would likely happen. I think if the Bill were to become law, a person found in possession of that magazine will be exposed to a Class A misdemeanor. This argument that there would all of a sudden be this aggressive, for lack of a better word, witch hunt for these magazines is a fallacy."

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Bost: "Okay. I understand what you're saying that it... that that wouldn't happen, but what in the law says that won't happen?"

Zalewski: "What it..."

Bost: "What, in the language, says that won't happen?"

Zalewski: "I... Representative, I'm told I have to pull this from the record for a moment."

Bost: "Well, I'd love for you to. Thank you."

Zalewski: "Okay. I know."

Bost: "I'll talk to you later about it."

Speaker Lang: "Ladies and Gentlemen, the Chair is in possession of a written Motion by Mr. Reboletti that takes precedence over all other actions for the moment on this Bill. The Chair recognizes Mr. Reboletti on his Motion."

Reboletti: "Thank you, Mr. Speaker. In the spirit of 'dilatatory', since that seems to be the phrase word today, I'm asking that this Bill be recommitted to wherever, the Rules Committee or whatever substantive committee it may have come out of, that it isn't ready yet. And that these Amendments... And the process again has been fundamentally flawed. So, I would ask that we recommit this for substantive hearings to discuss all of these issues that affect the public safety of the entire State of Illinois."

Speaker Lang: "The Gentleman moves that the House Bill 1156 and all filed Amendments be recommitted to the House Judiciary Committee for further consideration. There being no debate, those in favor of the Gentleman's Motion to Recommit will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves,

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Members. Have all voted who wish? Please take the record. On this question, there are 47 voting 'yes', 61 voting 'no', 1 voting 'present'. And the Motion fails. Mr. Reis, I assume on this Amendment. Is that correct, Sir? Mr. Clerk."

Clerk Hollman: "Floor Amendment #10 is offered by Representative Zalewski."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Mr. Speaker, I move for the adoption of Floor Amendment #10. It's the same as #9. There's a technical change."

Speaker Lang: "The Gentleman's moved for the adoption of the Amendment. The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. It's the same as #9 except for the number?"

Zalewski: "I'm sorry, Representative. Go ahead."

Bost: "You said this is the same as #9."

Zalewski: "Yeah. There's a..."

Bost: "What was wrong with #9?"

Zalewski: "There's a penalty provision that wasn't in #9 that we've added in #10."

Bost: "So, it's not exactly the same as #9."

Zalewski: "It's not exactly the same."

Bost: "What is the new penalty provision that's been added?"

Zalewski: "All of the penalties you and I had a good, robust discussion on, I thought were in number... we were discussing #10. It's..."

Bost: "Okay. Would you like to bring 9 back because I like 9 better then?"

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Zalewski: "I'm sure you would, Representative. But we're not bringing #9 back. I'm sorry about that."

Bost: "You know that's... that's the problem with this process. We had... we had the opportunity, just now, we just asked to send these all back to a committee process that is normal, that is right. And you know, you've seen me play and joke on this floor at different things, I'm not playing and joking now. We ask you to join with us to send this back to where it needed to be so that we could look at these Amendments in the right manner and handle this piece of legislation, instead of having this dog and pony show out here, we could do what this process... how we handle the process and do it right. Which is return those Bills back to the committee, we'll do the committee process, we'll vet it out, we'll put... put the Amendments on, we'll deal with those Amendments at that right way. But this is the way we're going to do. So, Representative, I've got a few more questions."

Zalewski: "Okay."

Bost: "Now, you said, we were in the middle of the debate, and you said that you didn't think that the case that I gave of the rural situation where people would go out and collect these clips, okay, would not occur. But there's nothing in the language that said because we're making this illegal, correct?"

Zalewski: "Well, Representative, what I want to be clear about what I said was what I'm told about law-abiding gun owners is that they abide by the law. If we were to pass this Bill, my..."

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Bost: "As long as you allow them to be law-abiding gun owners."

Zalewski: "Right. My assumption is..."

Bost: "And if we keep down this path, we're not."

Zalewski: "I..."

Bost: "We're making... we're making criminals of people who are not."

Zalewski: "Mike... Mike, I... I understand your concerns."

Bost: "But these... these are... these are usable pieces of these guns. They are usable pieces. There's a reason why they are in place. There's a reason why... and now, a person may have many clips, but now all of a sudden, a person who's never been... never been in violation of the law, all of a sudden is in violation of the law, and over this, over this. I really think that the danger that we're creating here is worse than the problem of the clips. No one wants to be rebellious. I mean, there are rebellious people out there, but these people are good people. They're law-abiding citizens, but they're going to finally say enough's enough. And now... I am wondering if I don't have police officers in my area that will finally say..."

Zalewski: "Mike. Mr. Speaker, I'm having a hard time hearing Mike."

Speaker Lang: "Ladies and Gentlemen, could we bring the noise level down in the chamber."

Bost: "I'm... Thank you, Mr. Speaker."

Speaker Lang: "Let's get through this order of business."

Bost: "I am afraid that, honest to goodness, we're going to have to make a police officer in southern Illinois, around Illinois, outside of the city, make decisions based on how

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they feel about their community instead of what we have put on the books. And I don't want to put a police officer in that position, and I don't... I don't know why you would either."

Zalewski: "Well, Mr... I mean, Representative, we've had this discussion in Judiciary, and you know, we may have to agree to disagree. What I said during our discussion about this in the committee was the following: if you're of the opinion that we should not ban assault weapons, if you're of the opinion that those weapons are to be remaining in control of the law-abiding citizens, then as a, for lack of a better word, compromise measure, then let's go after these high-capacity magazines that, frankly, are designed for holding large amounts of ammunition. And say you know what, you can keep your weapons, but at the same time, we're going to ensure safety through the use of limiting the ammunition. I understand what you're saying, and I understand 99 percent of your constituents are law-abiding gun owners, but if you don't believe in... in banning the weapon, at least let's talk about limiting the ammunition."

Bost: "Okay. Let's talk about it. First off, you live in a community where police can respond at a very high rate if need be. I have places in my district where it can take the police as much as 45 minutes to an hour and a half to respond, to respond."

Zalewski: "So..."

Bost: "If a person's household would come under attack, I know you don't think that that could happen."

Zalewski: "No, I do."

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Bost: "I... I want to be loaded... we've got a phrase, loaded for bear. You under that... understand that?"

Zalewski: "So, and Repre... Rep..."

Bost: "I... I want to, as a Marine... as a Marine, I guarantee you, I want as many rounds available to me..."

Zalewski: "So, Representative, I... I was..."

Bost: "...if I'm waiting on back up from the police, that I could possibly have."

Zalewski: "I was sent a video from the Rifle Association about this very issue, about the timing of magazines. And what I saw from that video was it takes a shorter amount of time for individuals to use shorter magazines. So, in your specific..."

Bost: "Okay. If..."

Zalewski: "But let me finish, let me finish, Representative."

Bost: "Okay. Yeah."

Zalewski: "In your specific hypothetical, in that case, I don't see a disadvantage for the homeowner; however, what we do see is when you have these ser... spree killings and the magazines are extended, you have an excessive amount able to be released in a short amount of time. So, I'd rather give you the opportunity, in your hypothetical, to do a quicker amount of reload with shorter magazines then... and eliminate those spree killings than the other way around."

Bost: "See, and that's where we're going to differ."

Zalewski: "Okay."

Bost: "That's where we're going to differ because once again, we are going after law-abiding citizens, and you're still wanting to go after the criminal, and if you want to go

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after the criminal, I'll work with you and we'll find the best way possible to do that. But this, Representative, is not the best way possible. This is making criminals out of people in my district who are law-abiding citizens and... or making them give up some rights because you've made them criminals."

Zalewski: "Well, I... I respectfully... I respect your opinion, Representative. I believe that if we're going to have a serious discussion about these issues to deal with these high-capacity magazines is one aspect of the con... is one aspect of the conversation..."

Bost: "All right. Let... let me..."

Zalewski: "...that must be had. And I ask... I'd want the Bill to pass."

Bost: "Let me ask you this, does this have a certain size round on the high-capacity magazines?"

Zalewski: "No. I'm told no. Just the number."

Bost: "So, once again, and this is... this is the problem we're going to run into, and I think I brought this up but during a different debate either last year or earlier this year, my Ruger 10/22 with a 20-round clip, my Ruger 10/22 with a 20-round clip, the rifle I killed my first squirrel with, and for the animal activist that might be around, I apologize if you feel that's offensive, but I killed my first squirrel with it."

Zalewski: "Was he riding in your lap, Representative. Representative Beiser's Bill."

Bost: "He wasn't... he wasn't... no, he wasn't riding on my lap nor talking on his cell phone. But that rifle, under this

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language, is... can't be used. It can't be used. See, we keep drafting language from this House with many people who don't understand guns and that's where we're getting in trouble. Representative and Members of the House, I hope that you vote this down. I would've hoped awhile ago you would've forced all this back to committee when we had the chance. I understand you got to follow the Party line. I understand that. But this is the one time you probably should've looked over and went hey, hey, let's do it the right way. Thank you, Mr. Speaker."

Speaker Lang: "Representative Ives."

Ives: "Thank you. To the Bill. This I find pretty much offensive, this Amendment, to women, especially, because more than anybody else, it's women who need the high-capacity magazines for which to defend themselves. They are, by nature, not as aggressive nor are they as physically able to defend themselves in these types of situation. High-capacity magazines actually give them the ability to fend off an attacker when necessary and in fact, as you're... if you're under attack, it is quite frequent, even for New York City Police Department officers, to not be able to shoot and fire. And in fact, if they found out that the New York Police Department... New York City Police Department officers hit their targets only eight percent of the time when they were involved in suspect shootings, eight percent of the time. After this report was done in 2005, they went into a situation where they forced all police officers to carry at least 17 rounds in the magazine. And so, this Bill I find... this Amendment I find

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offensive to women. It doesn't let us protect themselves. Let's... let's face it here, it's the criminal who decide when to attack, and they are well-armed and well-powered. We also know, looking at even Medal of Honor winners that they... many times were hit multiple times be... but kept on shooting. It's the same thing with enemies. Unless you strike him in the exact right spot, you're not going to kill him. They're going to keep on shooting at you and attacking. This is why you need high-capacity magazines to defend yourself. Thank you."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker. To the Bill. I just wanted to point out that my seatmate, Representative Acevedo, just told me that the winner of the Sharp Shooter Award in his Police Academy class was, in fact, a women... a woman. So, maybe we don't need those har... high-capacity magazines after all."

Speaker Lang: "David Harris."

Harris, D.: "Thank you, Mr. Speaker. Just an observation. You are one of the most knowledgeable parliamentarians in the Chair. I didn't hear the Gentleman withdraw Amendment 9. But just a... just by wa... an observation. A question of the Chair or a question of the Sponsor, please."

Speaker Lang: "Please proceed, Sir."

Harris, D.: "Representative, if a... I understand the logic of what you're doing here. If an individual has a device, a large-capacity feeding device, a large-capacity magazine now, what is he or she supposed to do with it should this become law?"

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Zalewski: "Representative, me and the Representative... the Gentleman from... we had a robust discussion. You would have one year, the effective date being January 1, 2014 plus 180 days, to dispose of the weapon through the law enforcement or sale out of state."

Harris, D.: "And does it say that in the Amendment?"

Zalewski: "No."

Harris, D.: "It does not say that in the Amendment?"

Zalewski: "No. But..."

Harris, D.: "So, how... how do we..."

Zalewski: "But again, we're talking..."

Harris, D.: "...how do we know if it doesn't say it in the Amendment that you have one year to do this?"

Zalewski: "Well, Representative, you would... the effective date of the Bill plus and the Bill says 180 days, so I mean, it's... it's the addition of those two time frames."

Harris, D.: "Well, in effect... but the Bill doesn't become effective until when?"

Zalewski: "January 1, 2014."

Harris, D.: "Okay. So, January 1... so, in essence, they have 180 days after that. There's a... and... and the only way they can dispose of it, or them if they're a multiple... a multiple high-capacity feeding devices, is to either turn them into the State Police or sell them out of state?"

Zalewski: "Correct. And it... Wait, I'm sorry, Representative. One moment. Turn them into law enforcement or sell them out of state."

Harris, D.: "Well, your... your Amendment says, the language of your Bill says it is unlawful for any person within this

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state to knowingly deliver, sell, receive, transfer, purchase or possess or cause to be delivered, sold, received, transferred, or purchased a large-capacity ammunition feeding device."

Zalewski: "After..."

Harris, D.: "It seems to..."

Zalewski: "...after the date, after the 180-day time frame."

Harris, D.: "Okay. We'll give them 180 days, but there are thousands of these out there that law-abiding citizens have owned. And now, you're telling me that they can sell them out of state, but it seems to me that the language of your Amendment is at odds with what you just said because it says I cannot sell it or I cannot cause it to be sold."

Zalewski: "You would have that time frame that we just discussed to do the selling or the disposition. So, that... that's the answer to your question."

Harris, D.: "Well, that may be the answer to my question, but I... and I'm..."

Zalewski: "You could di... you could disagree with the policy, but that's..."

Harris, D.: "No."

Zalewski: "...the answer to your question."

Harris, D.: "As a matter of fact, I may not disagree with the policy. But I am telling you what I strongly believe, and I'm a suburban guy, okay, and I'm telling you what I know just in my area, but from downstate, there are thousands of these, thousands of these. And for us to place this type of a requirement on those individuals who have them is an onerous intrusion. And as a matter of fact, I think your

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Amendment, again, is at odds with what you're asking people to do."

Zalewski: "So... so..."

Harris, D.: "I just... I think... I think there's a real disconnect with the real world. And I would recommend a 'no' vote on the Amendment."

Zalewski: "Represent... And can I respond, Mr. Speaker? To... Just to clarify some, we could not grandfather in the exist... I'm told we couldn't have grandfathered in the existing magazines because these magazines don't have serial numbers on them. So, there's no way to backtrack and try to catalog them 'cause now we're treating some gun owners who have done it versus some gun owners who have... magazine owners who have. We're treating people differently under the law."

Harris, D.: "And.. and that may be your answer, but it... it... my response to that is prohibit the sale. Okay. Prohibit the sale so that we know that there are no more. Prohibit the importation of them so we know it's against the law to bring them into the state. I think that's easier to track than trying to turn our law-abiding citizens into criminals doing something which they have done all of their lives."

Speaker Lang: "There are still eight speakers on this Bill. Mr. Reis."

Reis: "Thank you, Mr. Speaker. Two inquiries of the Chair before I ask the Sponsor questions."

Speaker Lang: "Please proceed, Sir."

Reis: "I know we haven't got our copy of the House Rules yet, but I think it would behold all of us to read the House Rules so that we know how things are supposed to operate in

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committees and on the House Floor. Second of all, what is the status of any notes on this Amendment?"

Speaker Lang: "You indicated that you wanted to ask the Sponsor a question. Is this now..."

Reis: "No. I said I had two... two inquiries of the Chair, first."

Speaker Lang: "So, Mr. Clerk, would you answer the question about the notes on this Amendment, Sir?"

Reis: "I'll help him out, specifically the fiscal note."

Clerk Hollman: "Fiscal notes have been filed for Amendment #1, #2."

Reis: "Just this Amendment, Mr. Clerk."

Clerk Hollman: "Oh. For number... for House Amendment #10 a fiscal note has been filed."

Reis: "And what was the finding of that note?"

Speaker Lang: "What is your question, Sir?"

Reis: "What was the finding of the fiscal note on Amendment 10?"

Speaker Lang: "Sir, that's... that's on your computer right in front of you. The Clerk doesn't read that to you. A question for the Sponsor?"

Reis: "Yes. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Reis: "I know what the answer to that question is, but I'll come back. Representative, why do we need to make this Bill as egregious as it is by saying no one is grandfathered in?"

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Zalewski: "Again, Representative, what I'm told is these... these mechanisms... magazines don't have serial numbers, so to try to grandfather them in would be practically impossible."

Reis: "Does any..."

Zalewski: "And..."

Reis: "...other states have this?"

Zalewski: "Have what, Representative?"

Reis: "Does any other state that has tried to do this ban and not grandfather people in that have these type of weapons?"

Zalewski: "Yes."

Reis: "Which... which one? Just..."

Zalewski: "New York."

Reis: "New York says you couldn't even keep your weapon, and they all had to turn them in?"

Zalewski: "Yes."

Reis: "Congratulations, Representative, even Dianne Feinstein's Bill didn't do that. To the Amendment. Ladies and Gentlemen, what have we become? You know the Second Amendment wasn't put in there for hunting. If you didn't hunt, you didn't eat back then. We talk about cr... people being able to protect themselves from their... and their family from criminals. That isn't the real Amend... the purpose of the Second Amendment. The Second Amendment was put into the Constitution by our founding fathers to protect themselves from their own government. And you can sit back and laugh, but look at the countless stories over the last 100 years where they have taken the guns away from people, pile them up and took a picture of it, and they had no way to protect themselves from their own government.

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Even George Washington said, a free people ought to not only be armed and disciplined, but they should have sufficient arms and ammunition to maintain a status of independence from any who might attempt to abuse them which would include their own government. He said this long before the 1900s. And if you don't have multiple-round guns, it won't take government long to overtake you. That was the reason of the Second Amendment, and this flies in the face of it. It's unconstitutional. And I would encourage a 'no' vote. That's all you can say about it."

Speaker Lang: "Mr. Sullivan. Hello, Sir."

Sullivan: "I'm sorry, Sir. It's been awhile. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Sullivan: "Sorry. I'm trying to bring up my program here. Within the penalty structure of Floor Amendment #10 page 4, we talk about the sentence and those that violate certain provisions of this Act. And... and we talk about a person who delivers, sells, receives, transfers would be in violation. Is there a definition for 'receives' within your legislation?"

Zalewski: "No. No, not within the Bill, Representative."

Sullivan: "So, is it probable that say I would ship to you after the 180 days, after the... so, in '14 this becomes law, 180 days pass, and I ship to you, you take possession and open it up, and the police come through your door. Have you received or taken received something and be in violation of this?"

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Zalewski: "That'd be a... that'd be a question of finder of fact.
But I mean..."

Sullivan: "Is there an affirmative defense to say, hey, someone
shipped this to me or would that be... you'd be dragged into
court to prove your innocence."

Zalewski: "There's... there's no affirmative defense, but... but
you'd be welcome to raise that defense."

Sullivan: "Certainly, that'd be raised. But..."

Zalewski: "And... and you're talking about now, Representative,
you're talking about a January 1 effective date with 180
day lag time and you're in receipt of a piece of machinery
that is against the law. So, again, when you raise that
defense, I would take caution because I don't know the
likelihood of its success."

Sullivan: "But... but the likelihood is someone could try and set
you up 'cause it will happen and they'll send it to you.
And they'll say he received this, call the police, they'll
storm your house, you'll get arrested, and then, you'll
have to prove your innocence."

Zalewski: "And who..."

Sullivan: "So, you have no affirm... you have no defense against
that."

Zalewski: "Rep... Representative, who would... who's out there
sending high-capacity magazines to people to set them up? I
mean, I think we're starting to..."

Sullivan: "Why... why wouldn't you?"

Zalewski: "...we're starting to wander astray of the conversation
here."

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Sullivan: "Not really. Not really. This is your legislation.
You don't..."

Zalewski: "Yeah. And..."

Sullivan: "...have a defense for something like that."

Zalewski: "And Representative, I'm not... I mean... Could possibly
someone decide to set up a sting in... in July of 2014 and
start sending high-capacity magazines to lawful gun
owners?"

Sullivan: "What if... what if it gets sent on accident?"

Zalewski: "I suppose it's possible. But it's..."

Sullivan: "What if it gets sent on accident? That's not a
sting; it just went to the wrong address then."

Zalewski: "If it's an accident, then it goes back to you can
raise a defense."

Sullivan: "But you'd be arrested, you'd go to jail, and then
you'd have to use your own money to prove your innocence on
a mistake because of your legislation."

Zalewski: "Well, Representative, we... if you want to have a
global discussion about the criminal justice system that's
fine."

Sullivan: "It's already been passed."

Zalewski: "But we're talking about this Amendment."

Sullivan: "We're talking about your Bill. Why... This is where we
should have the discussion. Legislators legislating; that's
what we're doing, aren't we? So, I'm having the discussion
with you right now."

Zalewski: "I will..."

Sullivan: "You want to have it? Is this your Amendment or is it
not?"

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Zalewski: "I will concede to you that if someone wishes to set up an elaborate sting in July of '14 whereby they decide to send high-capacity magazines to people in an effort to entrap them, then yes, they would have to hire a lawyer and go into court."

Sullivan: "And even..."

Zalewski: "That would be the result of adopting this policy."

Sullivan: "...and even if it was an accident. That's the..."

Zalewski: "Regardless."

Sullivan: "...point I'm trying to make. There's no defense against something like this in your legislation. So, why wouldn't you put that in there?"

Zalewski: "Representative, we..."

Sullivan: "Why don't you remove it from... never mind."

Zalewski: "So, if... if I did put affirmative defenses in this Bill, would you support it?"

Sullivan: "Ladies and Gentlemen, to the Bill. Previously, we talked about folks in southern Illinois that sometimes you have to wait for the police for a long time, maybe even in the city you have to wait for the police a long time 'cause they don't want to go into the neigh... certain neighborhoods. I was just given a quote that probably resonates the best. When seconds matter, you're waiting minutes for the police. That's why we don't need this. That's why I urge you to vote 'no'."

Speaker Lang: "Mr. Smiddy."

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

Speaker Lang: "Gentleman yields."

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Smiddy: "I agree with the Sponsor that this is a very serious issue that we need to talk about. The one issue that we haven't talked about a lot is when we ban these high magazines, we're also taking away jobs in the State of Illinois. We have a billion dollar industry; 250 million of that comes from my district. And there's a two-year waiting period for these types of weapons to be shipped out with these high-capacity magazines. Now, are we to tell these folks that they're not going to be able to get the weapons that they've actually applied for and are now on a two-year wait for? They're individuals, they live in the State of Illinois, and it's a billion dollar industry. Are we to tell them that they're now not going to be able to get these weapons?"

Zalewski: "Representative, I would say a couple of things. There's an exemption in there for manufacturers to sell to the exempted party or out of state. It's my understanding, from testimony in Judiciary, a large portion of this customer base we're talking about is exempted parties. So, it's the..."

Smiddy: "I'm talking about the individuals not the exempted parties. We have two to four thousand of these weapons every month leaving my district to Illinoisans, individuals, not exempted parties."

Zalewski: "Representative, I'd remind you, we're talking about the magazines not the weapons."

Smiddy: "And I am telling you that they have ordered with these types of magazines not the exempt... not the 10-round magazines; these magazines that are already in production."

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So, what am I to tell those folks. We're going to be loovy..."

Zalewski: "I... I..."

Smiddy: "...losing taxes. These businesses are going to say, we're going to get exempted; we can't sell to these two to four thousand people a month that are individuals that are not exempted. What are we going to tell them? They are going to move their business where they can sell to the individuals in the state not just the folks that are exempted."

Zalewski: "I would tell them, Representative, that we... we did a... we were charged with passing a comprehensive Bill in response to... to the Seventh Circuit's opinion and this is a judgment we made. We did our best to exempt out, to not... to ensure that they could continue a number of these sales, but not all of them could be accommodated."

Smiddy: "But what we're effectively doing is killing jobs in an economy that cannot be killed by this legislation. I would urge my colleagues to please vote against this because it's going to affect my district personally, over two thousand jobs. Because if we have this legislation go through, I will guarantee you my people in my district are going to leave."

Speaker Lang: "Mr. Sacia."

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

Speaker Lang: "Sponsor yields."

Sacia: "Representative Zalewski, this morning, in Judiciary, you were accompanied by the superintendent of police on a

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very important Bill, and it was a firearms Bill. Would that be a fair statement?"

Zalewski: "Correct, Representative."

Sacia: "And there was a significant consensus to work together to try to make a Bill better, and knowing you, as I do, I know you always work towards that. I ask you, just for a moment, let's assume that this particular Amendment passes, let's assume for a moment that it would go to Third Reading, and it would pass as a stand-alone Bill. Representative Zalewski and Ladies and Gentlemen of the House, Representative Bost made a point, and he refers to the folks in southern Illinois. I represent northwest Illinois, Jo Daviess and Carroll, hill country. Those folks are my people, and they are adamantly, I mean adamantly, opposed to this legislation. You know, in World War II, before most of our time, we all are fully aware of the attack on Pearl Harbor. And the commander of naval forces was credited with making a statement, whether it was true or not is debatable, but his statement was along the lines, I fear we have awakened a sleeping giant. You just try to take these magazines away from my people. You just try to take these guns away from my people. It is not going to happen. Now, you good folks in Chicago have a problem with guns; that's been debated at length. Nobody in this chamber denies that you have a problem with guns. Just for a moment, Representative, we all know that the ultimate goal here... Could I have some order, Mr. Speaker? We all know that the ultimate goal in this entire charade is to determine where Illinois stands on concealed carry. It's a

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significant debate. I would ask everybody in this chamber to just compare, if you would, two great cities: the City of Chicago and the City of Houston, Texas, very similar in size, very similar in makeup of financial income, very similar in ethnicities, similar numbers of Caucasians, similar numbers of Hispanics, similar numbers of African Americans. Last year, Chicago had 506 shooting deaths. Last year, Houston had 207, a significant number less. Texas is a concealed carry state. The City of Houston has 84 gun shops. It has 1500 outlets to purchase guns like Wal-Marts and they can buy magazines and so forth, 207 to 506. What is the conclusion, the cold weather in Chicago. It comes right down to concealed carry. But going back to your particular piece of Amendment... your Amendment, Representative, and you're attempting to eliminate large-capacity magazines. This is not a threat. But if you do this to the good citizens of this state, you know of the unbelievable increase in firearms purchases since the horrible events of December 14. You know it's going to increase. Never in the NRA's history, never in the Illinois Rifle Association's history have there been more citizens joining. Don't do this to us, Representative. Don't do this. This is bad, bad legislation. Thank you."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Mr. Zalewski yields."

Reboletti: "Representative, I'm somewhat surprised by your choice of this Floor Amendment #10. Weren't you in Judiciary today with a very important Bill that the mayor

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of Chicago wants to pass regarding gun... enhanced gun penalties?"

Zalewski: "Yes."

Reboletti: "Why didn't you bring that as a Floor Amendment? Make that Floor Amendment #11 or 58 or 75? Why did you choose to go to a substantive committee with one Bill and now we've come to the floor with this Bill?"

Zalewski: "Representative..."

Reboletti: "You can't tell me there's a process, Representative; I know that because there is no process right now."

Zalewski: "Representative..."

Reboletti: "Why is that, Representative?"

Zalewski: "Is your question, why I chose to file a Floor Amendment on this particular Bill?"

Reboletti: "Yes."

Zalewski: "On this particular Bill, we had several robust discussions in Judiciary Committee about this issue. As a matter of fact, you were in the one where that came up... on this very issue came up. So, we've had a Judiciary Committee hearing on this particular... on this particular Amendment."

Reboletti: "Then why wouldn't you file your Bill that you ran today in Judiciary and just file that as a Floor Amendment?"

Zalewski: "Because this Bill, Representative, it's my prerogative how I choose to present my Bills."

Reboletti: "Must be nice to be in the Majority Party. Representative, with respect to the no grandfather clause,

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in 1994 the United States Congress passed the assault weapons ban. Did they go to people's homes to take their ammunition and their firearms?"

Zalewski: "I don't know the answer to that question, Representative."

Reboletti: "Representative, they didn't do that. They were able to grandfather things in. And life as we know it moved forward, so why can't you have a simple Amendment that many of us may support if you truly want this to pass and become part of a more global package, as you talked about in the criminal justice system, with a simple Amendment that would grandfather this in."

Zalewski: "So, Representative, if there were a grandfather Amendment in the Bill, in the Amendment that allowed for us to go back, it would garner the support of those who are currently opposed?"

Reboletti: "I didn't say it'd garner everybody's support, Representative, but I may be more inclined to support that and maybe some other suburban members may do so, but I can't speak for everybody. I'm just asking, why wouldn't you just put that in there?"

Zalewski: "Representative, if we have more special orders I can certainly... I can certainly revisit that with... with the staff and see if that's a possibility. I'd love to have your support on this Bill."

Reboletti: "Well..."

Zalewski: "So, if it means getting you to support this Bill... this Amendment, I certainly can be happy to run it up the

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flag pole, but we're dealing with the Amendment as it's written today."

Reboletti: "And I understand that. And Representative, I appreciate your service as an assistant state's attorney, and I think you and I see eye to eye on many things. And that's why I would ask you to take this out of the record and put a grandfather clause in. You and I could talk about it and I'd be much more inclined to support it, and I may support it now, I haven't decided yet. But why... why wouldn't you do that and pick up maybe, I don't know, a handful of votes here maybe more, maybe others that you may not suspect would; if the process, here, is truly to accomplish public safety for the people of the State of Illinois."

Zalewski: "Rep... Representative, if I... if I thought that it would garner more than... I... as much as I would appreciate your vote, I'm inclined not to pull it out of the record for the mere possibility of garnering votes. From what I've heard today, from the Body in opposition to this Bill, there's significant opposition no matter what I'd do. So, based on that, I'm not inclined to pull the Bill."

Reboletti: "So then, why would you run the Amendment if you already know it's going to be a failure; if you anticipate that being a failure?"

Zalewski: "I don't... I don't know... I don't know it's going to be a failure. I know there's some people out... opposed to the Bill."

Reboletti: "Representative, do you think that this... if this were to pass and become the law of the State of Illinois

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that it would violate the takings clause of the Fifth Amendment because people who would've invested in this product would then have to either give it up or give it to somebody without any renumeration from the State Government?"

Zalewski: "Similar states have done this types of legislation, and they haven't been subject to taking suit... lawsuits."

Reboletti: "How many other states have done that?"

Zalewski: "One moment, Representative."

Reboletti: "Thank you."

Zalewski: "Are you talking about a weapons ban or the magazine ban?"

Reboletti: "This magazine ban."

Zalewski: "So, New York has a capa... a magazine ban, and it's limited to 7 rounds; our Amendment has 10, Representative."

Reboletti: "What other states do?"

Zalewski: "I... I don't know that... answer to that question immediately. We're looking for you, Representative. I'm told California, Connecticut, Hawaii, Maryland, and New Jersey."

Reboletti: "So, a handful of states do it one way."

Zalewski: "I'm sorry. What'd you say, Representative?"

Reboletti: "I said, so a handful of states..."

Zalewski: "Handful of states is accurate."

Reboletti: "...have done this. And it's your contention that it has sustained constitutional challenge?"

Zalewski: "Yes."

Reboletti: "Well, to the Amendment and more so to the process. Again, week three of the gun saga continues. Today, this

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Amendment's about ammunition. But today, in Judiciary, we talked to Superintendent McCarthy of the Chicago Police about a very serious piece of legislation that, believe it or not, was vetted by many people who are attorneys and people who are in law enforcement. And there was a discussion about the merits of the legislation, and then at the end of the day, there was talk about potential compromise to deal with those individuals who had some objection; that's why there's a committee process, but why would we want to have a committee process in place when some folks choose to circumvent the system. We can slap it up on the floor... up on the board here and say this one merits a Floor Amendment while others do not merit a Floor Amendment. As a matter of fact, Ladies and Gentlemen, in my hand, I have the Rules Committee Report. I'm surprised we even have a Rules Committee. I should make a Motion to discharge every Bill to the House Floor because there really is no need for the committee process, and we can debate the merits of the Bill on the House Floor. So, these 30 or so Amendments that were passed, I guess, don't need scrutiny, well, I guess they do need scrutiny; these don't need scrutiny. So, the process, again, has been flipped upside down, it's been maligned, it's been mistreated, and misrepresented. The people of this state believe that we actually file Bills, go to committee, debate the merits of the Bill, and then come to the House Floor where 118 people make a decision that impacts 13 million people. You can turn the political science books and State Government books upside down and rip them up, the ones I learned about at

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Eastern Illinois University, because they're no longer in vogue. We have a different set of rules now on the House Floor; some deserve merit in the Rules Committee, some should go to the floor, some should never go anywhere. We have a dead six-month-old in the City of Chicago not less than 48 hours ago, and while there's other conversation in the chamber, that's a pretty serious matter. This state mourns for that young baby who never had a chance at life. But instead of getting to the root of the problem, which are the serious bad actors in our society, we will continue to plod along at this dilatory pace and try to determine what's the best course of action while Rome burns. Amazingly, across the hall here, the other chamber, Senator Raoul from the City of Chicago, Senator Bivins from the Dixon area sit down and talk about conceal and carry and public safety like you would think that the rest of us would do; that would make sense. Two men formerly from the law enforcement community talking about the future of public safety in the State of Illinois. Why would we want to do that, here, in the House because this process has worked for three weeks and will continue on, I would assume, 'til May 31. But while children get mowed down on the city streets of Chicago and everywhere else, forget about that, we're on this right now. A process that's flawed and failed and tomorrow, unfortunately, more of the same where some Amendments get out, some Amendments do not get out. Ladies and Gentlemen, when is enough enough? I think it's time for Speaker Madigan to sit down with Leader Cross to discuss the future of this debate which is

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extremely important and relevant to people's public safety, their lives, so children can get to school, and tomorrow to be able to talk about pensions for people's economic security, and the future of this state. Why can't we do that? Why can't the process be respected? Why must we continue this charade? It's disgusting. But Amendment #10 will be called, it will be voted on, we'll have other Amendments. And while the Democratic staff will probably spend sleepless nights creating these things, it's not getting to the root of the problem. And it is a sad day, here, in the House of Representatives."

Speaker Lang: "Mr. Brauer."

Brauer: "Thank you, Mr. Chairman. Will the Sponsor... Speaker yield? I mean, Sponsor yield?"

Speaker Lang: "Sponsor yields."

Brauer: "Representative, could... could you just briefly describe an assault weapon to me?"

Zalewski: "This doesn't have to do anything with assault weapons, Representative."

Brauer: "I'm sorry. Could you briefly describe assault weapon to me?"

Zalewski: "Representative, the Amendment its bans capac... magazines with capacities of an excess of 10... 10 rounds."

Brauer: "So, would you describe any weapon with more than a 10-round magazine an assault weapon?"

Zalewski: "You want me to describe the weapon?"

Brauer: "No. Would you describe an assault weapon with a magazine larger than 10 rounds? Would that fit your definition, then?"

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Zalewski: "I... This isn't a definitional issue, Representative. It's... it's a Bill that would not allow for the possession of a cap... a high-capacity magazine."

Brauer: "So, that..."

Zalewski: "I would refer you to the definition within the Bill of what a high-capacity magazine is."

Brauer: "Well, I'm just trying to get... figure out what your definitions are here. What you..."

Zalewski: "A magazine, belt, drum, feed strip, or similar device that has a capacity of or that can be readily restored or converted to accept more than 10 rounds of ammunition."

Brauer: "So, that is or isn't assault weapon in your definition?"

Zalewski: "It's... it's not because, again, we're talking about the magazines."

Brauer: "Okay. Representative, I was out at Scheels the other day, south of Springfield. Have you had the opportunity to go to that store?"

Zalewski: "No."

Brauer: "Well, some people describe it as amusement park 'cause it has a ferris wheel, and it has a NASCAR game, and it has a bunch of other vid... video games, but they have a very large gun department there; it's very impressive. They actually wan... wanted to give you an award. You know what that award was?"

Zalewski: "No."

Brauer: "It was salesman of the month because, right now, if you go out there, you can't hardly buy a gun; there's very

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few them on the shelf. You cannot buy ammunition because they can't keep it in stock, it leaves so quick. Why... why do you think that is?"

Zalewski: "I don't know, Representative."

Brauer: "Well, I'll give you a clue. They're a little worried about what's happening. They are worried about some of the proposals that's being brought forth in this chamber; some of the proposals that don't even go through the process that we hold dear here. They are scared to death. I had a friend out there, he was a retired State Police, and I asked him the question, I said, do I need a handgun in my house to protect myself? He looked at me like I was crazy, and he said he couldn't believe in my position that I didn't have several, that I didn't have them throughout the house. People are scared to death. It's proposals like this that feed that fire."

Zalewski: "Representative, I'm not trying to scare anybody. I've heard a lot of talk about the... the fear amongst the constituencies in Illinois, and honestly, respectfully, that's not the goal here. We were told, in Judiciary Committee, that an assault weapons ban is not acceptable. So, some of us believe, as a reasonable response, if you're not going to allow us to... if you're not going to allow for that, then let's talk about high-capacity magazines because those allow for... readily available frequent shooting. So, if we're not going to pro... protect public safety one way, let's go to option b. So, this notion that we're trying to scare people and make them frightened, I just don't accept it when it's in the spirit of trying to protect the public

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safety. I'm sorry people are scared, and they're going to the gun store, but it's not what the intent is."

Brauer: "There's a story going out of the young lady that was in her house, three people, I think, were trying to break in. She had a, I believe, it was a six-shot revolver. That was not enough ammunition to protect herself. It's important that people have that ability. It's important that they have a magazine in their own home that they can be protected when there is multiple intruders coming in. So, you think that if you have three people break into your house that's enough ammunition?"

Zalewski: "I don't know, Representative."

Brauer: "Well, I do. 'Cause when people are scared, the adrenaline's flowing, they're not a very good shot. They need that ability to protect themselves. This Bill will take that ability away. Thank you."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Representative, just a few short questions. Are you familiar with what a focal center is?"

Zalewski: "No."

Kay: "Or a focus center?"

Zalewski: "No."

Kay: "Well, in Missouri, they have one. And that's a center that has, apparently, been organized at the behest of the Executive, United States of America, under the offices of Homeland Security. Does that ring a bell?"

Zalewski: "No, Sir."

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Kay: "Okay. And within the Missouri focus center, we have agents from ATF, FBI, CIA, and many, many other federal agents, and when this center was finally completed, it was augmented with military equipment which I can only assume was dispatched from some military post to support this center. Now, I know you don't know that. But I guess my point is just this, supposing that focal center were used for ulterior purposes, purposes to cut off our First Amendment rights, purposes for illegal searches and seizures, would you then think that we should not have some sort of protection against tyrannical efforts by our own government whether it be the State of Missouri or the Federal Government with respect to fast feed?"

Zalewski: "Representative, I don't accept the premise of the question. I don't know that this has anything to do with a tyrannical form of government. This is... It's a public safety measure."

Kay: "Sure. No, and I understand that, Mike. I'm not trying to make something out of something that doesn't exist. But many, many people in Missouri are concerned about the... the fact that we are constituting a paramilitary organization, so to speak, for the pur... under the auspices of Homeland Security, and yet, we're not sure that's a real valid reason to have a focus center in Missouri that is supported with a full complement of military or paramilitary equipment. Really my question is just this; it's not very complicated. If that paramilitary operation is used for ulter... ulterior motives, then isn't, in your mind,

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justification to some extent to have assault weapons with fast or repeating feed bands?"

Zalewski: "Rep... Representative, I think... I think you can... you can... if we're to accept the premise of your question that that were to occur, which I don't, with fewer than 10-round clips, you would be able to adequately defend yourself and the... in the compelling interests of... of protecting the public safety versus that hypothetical. I don't know... I just... It's my view."

Kay: "Well, let me... one other example, Mike, and I'm not going to belabor it. But supposing that your First Amendment rights are being abridged, and you don't have the ability through the Second Amendment based on the Bill that you have put forward and 60-some other Amendments that we have seen, how is it that you feel that we might, as citizens of this country, protect ourself as the founders thought we might be able to do?"

Zalewski: "With fewer than 10-round clips."

Kay: "I'm sorry."

Zalewski: "With... with adequate clips that don't exceed 10 rounds."

Kay: "Well, Mike, I will... I would submit this to you, that's not responsive from the standpoint for the 10-round clip is not going to stand up against an assault weapon that a military person or a paramilitary person carries. To the Bill, Mr. Speaker. I... I just think this is... this is poorly conceived. And I think it tramples on the Second Amendment. Thank you very much."

Speaker Lang: "Mr. Phelps."

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Phelps: "Thank you, Mr. Speaker. To the Amendment. And I want everybody to pay close attention, here, because I don't think it's the Sponsor's intent on what he read a while ago. Page 1 line 12: a magazine, belt, drum, feed strip, or similar device that has the capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition. Now that, you say awhile ago, is... you're only going after magazine, but that is our hunting guns. That's our semi-automatic shotgun, that's our pump-action shotgun because they can accept these magazine extensions. So, more or less, what this Amendment does, whether it's your intent or not, is this bans every hunting gun out there. And I don't think you want to hunt the... hurt the hunter, because I know you and I have talked about this, but that's what the Amendment does. And I just wish you would pull this out of the record, so we could try to work on that with Representative Reboletti because I don't... don't know why we want to hurt the rights of our hunters; and that's exactly what it's going to do. So, to... to the Amendment. Just... We need to vote 'no'. Everybody says they... they always care about the hunter. Well, here's your chance to prove it. Vote 'no'."

Speaker Lang: "Representative Roth."

Roth: "Thank you. I'd like to yield my time to Representative Reis."

Speaker Lang: "Mr. Reis."

Reis: "Thank you, Mr. Speaker. I forgot to bring up my point on the fiscal note. It says here, everybody, that there will be no fiscal impact to the Illinois State Police because of

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this boor... Bill... this Amendment. Now, I don't know if that means the Department of Corrections or not, but just on the face that anyone in this room thinks that this isn't going to cost the State Police money is ludicrous. If anybody think that there's not going to be a second and third offense on this and that people are going to go to prison, that's ludicrous. I don't know who put these fiscal notes together, but they're not very accurate. And to play off of what Representative Sacia said, you come to these people and take away these clips and take away their guns, and you're going to have blood on your hands. And I don't know if you've got any provisions in here for body bags, but I'm telling you there is going to be riots out there. Blood on the porch, whatever you want to call it, you come knocking on somebody's door and take away their gun in this country, and you're going to have a problem on your hands. Vote 'no'."

Speaker Lang: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker. A couple of the earlier speakers made reference to Chicago's gun problem and to the little baby that I've not been able to stop thinking of for the last two days who lost her life. A six-month-old baby was shot. And we've heard it said and we hear it implied that none of the people who... who are shooting those guns bought those guns legally. And that may be true, but someone did. And we aren't getting to that problem. We voted down lost and stolen here, today. We're refusing to take the steps that are going to stop the flow of weapons into our community. We learned last summer that the ma...

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that a huge number of the guns that are seized in cri... in the commission of crimes in Chicago are purchased at one gun shop in the suburbs of Chicago. So, let's get serious. Let's take advantage of some of these reasonable steps we can take. Let's get serious about lost and stolen. Let's stop the flow of guns into our neighborhoods and stop the violence. Vote 'yes', please."

Speaker Lang: "Mr. DeLuca."

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

Speaker Lang: "Gentleman yields."

DeLuca: "First, Representative, I know that Representative Phelps just spoke to the Bill, but he did bring up a pretty important concern. I don't know if you want to respond to that or..."

Zalewski: "I'm happy to. It's..."

DeLuca: "...say something about that."

Zalewski: "...it's the same response I have. I'm happy to go back if we have another special order and discuss the exemptions, but I haven't heard anything today amongst the talk of blood in the streets and body bags that leads me to believe I should change this Bill one bit. To be honest with you, Representative. I mean, the rhetoric being used here to discuss this issue, when we constantly are reminded to be serious on the other side of the aisle, and we're talking about body bags. So, Representative, to your question, I'm not inclined to change the Bill one bit."

DeLuca: "Okay."

Zalewski: "And I know that's not directed... it's not directed to you, Representative. I apologize."

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DeLuca: "Well, I think we all take what Representative Phelps has to say about these Bills seriously. And apparently you two have spoke about huntering, you know, not going after the types of guns that are used in hunting. And it sounded pretty clear to me, by what he said, that this does. So, my question was I see there's an exemption here for law enforcement. I see there's an exemption here for law enforcement."

Zalewski: "Yes."

DeLuca: "Does that include private security?"

Zalewski: "Yes."

DeLuca: "So, a private security officer would be able to have a magazine of more than 10 rounds?"

Zalewski: "It's my understanding, Representative."

DeLuca: "So, an elected official, a politician that has hired security would be able to be... have security around them with a capacity of more than 10 rounds?"

Zalewski: "They would have to get the DF... my understanding is that they'd have to get licensure from the Department of Financial and Professional Regulation for security agents based on the type of security they provide."

DeLuca: "I ask that because I recently had a visit by an elected official... pretty big elected official out in the area of my district. And when I was leaving, and saw the security guard out in the hallway, I just went over and said, you know, just asked if, hey, you have a side arm on you? Yes, I do. What do you have? A Beretta with a 17-round clip. A Beretta with a 17-round clip. And this was a security officer paid for by the taxpayers securing one

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elected official. And from the way I read this, I wouldn't be able to secure myself with a round of more than 10 rounds, but a politician that has a hired security, paid for by the taxpayer, would. I just wondered what your thoughts were on that, and if you would be willing to address that in here."

Zalewski: "I think the law makes recognitions that certain individuals are able to have a different treatment under the law than other individuals, if they have a given amount of training. Based on that, I would suggest that a person who's had the training that you seem to... your hypothetical seems to... or not hypothetical, your situation seems to suggest, leads me to believe, that in that situation they're trained to handle that high-capacity magazine."

DeLuca: "Okay. Thank you."

Speaker Lang: "Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Yes."

Durkin: "Representative Zalewski, this is in line with what Representative DeLuca just stated, but I want to get into the peace officer and the other exceptions. Are members of the Chicago Police Department allowed, currently while on duty, to carry weapons that have these clips, which you are seeking to ban, are they currently part of what they are allowed in the course of their duties."

Zalewski: "Yes."

Durkin: "All right. Are these police officers or peace officers throughout the State of Illinois allowed to have these weapons in their home?"

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Zalewski: "I don't know the answer to that. I believe so."

Durkin: "I... I don't see this in here. Are... I guess what I'm trying to find out is distinction is, yes, if they're allowed, are they exempted from using these firearms that have these large-capacity clips while in the course of duty. But should they be allowed to have them in their home or in the trunk of their car on the way back from a shift?"

Zalewski: "Ye... Yes."

Durkin: "They should be. Why would... why would a pol... a peace officer have any more right to have that type of cap... large-capacity weapon at his home as opposed to a citizen?"

Zalewski: "'Cause, Representative, don't we want the police to have an advantage over those who don't have access to high-capacity magazines?"

Durkin: "At home? While they're on duty, I..."

Zalewski: "Any... anywhere."

Durkin: "While they're on duty, I agree with you, but I don't see why they... when they are off duty..."

Zalewski: "So, you don't..."

Durkin: "...even though I know the whole thing, police officers work 24/7, 7 days a week. But the fact is, some of them at the end of their shifts, they're going home. Should they be allowed to still possess those large-capacity weapons which they can use to defend themselves on their home?"

Zalewski: "Should they be allowed?"

Durkin: "Well, I think that you said that they are allowed, if I'm not mistaken. They're allowed to..."

Zalewski: "I... I think I was asked two different questions. If your quest... is your question are they allowed? One moment,

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Rep... They are. Should they be allowed? If you believe that... if you believe that they have ac... they have the training necessary to... I'll put it this way. I believe that it's important for police officers to have advantage over those who don't have access to these high-capacity magazines. I think regardless of whether they're on duty or off duty. If you start making judgments about whether an off duty police is off duty at home or on his way to 7-Eleven, I think that's a whole different discussion."

Durkin: "All right. Why would we want a warden superintendent to have the same type of exemption?"

Zalewski: "Excuse me, Representative?"

Durkin: "Why... What is the... Why are wardens and superintendents allowed this exception?"

Zalewski: "They're correctional officers."

Durkin: "A warden, he pushes paper. I'm sorry, I know many of them, but the fact is they're not the ones who are walking the cells who are maintaining peace within the institutions."

Zalewski: "Representative, if you feel like wardens shouldn't be included in the Bill, I don't... I can say that we'd be happy to revisit that later."

Durkin: "All right. I just... Who is a keeper of prison in Illinois? We have wardens, superintendents, and keepers of prisons. Who is a keeper of prisons, and how do you distinguish a keeper from prisons from a warden and a superintendent?"

Zalewski: "I think... I think that's just another term for a correctional officer, Representative."

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Durkin: "So, to what extent are correctional officers, every correctional officer, everybody who works for the Department of Corrections is allowed to carry a large-capacity firearm with these... these large ammunition clips, correct?"

Zalewski: "They're allowed. They're not covered by the restriction. Yes."

Durkin: "And again, do you think that a Department of Correction guard, while he's off duty, why would it be any different for that individual versus a citizen to be able to car... hold that weapon in... on their property?"

Zalewski: "Representative, if we were to revisit that would that make you vote for the Bill? I mean, we're nitpicking over the... the exemptions, and that's fine, if I felt..."

Durkin: "Well, that's what we do, Mike, that's what lawyers do. We nitpick, we split hairs, that's what our jobs are and that's what we have to do in a courtroom, so that's why we were trained and that's why we went to school."

Zalewski: "So, if... my question to you is, if... if the Bill... if the Bill... if the exemption were narrower, would you support the Bill?"

Durkin: "I think that the exemption should be more narrow."

Zalewski: "Okay."

Durkin: "I, also, believe that you should, despite what you had stated earlier, there should be a grandfather clause attached to this Bill. And then, if you do that, you will have my support... my glowing support for your Amendment."

Zalewski: "Rep... Representative, my... I'm sorry, my attorney was telling me something. Repeat your last question."

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Durkin: "I said that if you were to... we were to work and to find a more narrow exemption and also to discuss a reasonable grandfather clause, you will have my full support and blessings on this Amendment."

Zalewski: "Than... thank you, Representative. I'll take that under advisement."

Durkin: "I would... With that, Mike, could we... we're in the middle of March, we've got a lot of time. I would like to see if we can do this for the first time. I have the utmost respect for you... we have come from similar backgrounds... and we can tailor an exemption, a good Bill, a good Amendment that's going to address this situation which I think would be more palatable to all Members of this... this Body."

Zalewski: "I... I am not inclined to take the Bill out of the record, Representative. I'm inclined to keep working on the Bill with you guys."

Durkin: "I'm very disappointed 'cause I think that there are some of these exemptions... exceptions in here that are not necessary; I think they're overbroad. And I think that there are definitional problems. I want to get back to one of the definitions earlier. It says a large-capacity ammunition feeding device does not include an attached tubular device assigned to accept and capable of operating only with .22 caliber rimfire ammunition. I don't know what that is. Could you tell me if there is a manufacturer of those... of that type of tubular device? I... I just need to know exactly what you're saying is not included."

Zalewski: "What Section are you referring to?"

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Durkin: "First... Mike, it's the first page. It's under (a)(12).
I'm sorry, (a)(2)... under (a)(2)."

Zalewski: "And your question is, what is a tubular magazine
that is contained in a lever-action firearm?"

Durkin: "'Cause it states that it does not apply, does not
include, they're exempt, that type of device. I need to
know what that is. What is being excluded?"

Zalewski: "My... my understanding is it modifies a .22 caliber
rimfire ammunition. It's a ma... It's exempting... One more
second, Representative. Your... your question, I'm not trying
to be difficult, your question is, what is a tubular
magazine that is contained in a lever-action firearm?"

Durkin: "Is that a... I don't know what it is. I just need some...
I'd like to know what a rimfire is. I know what a... I don't
know what that is. I just need... I want to know what I'm
voting for or voting against."

Zalewski: "So, I'm told in a .22 caliber rimfire situation, the
bullet goes off the rim... the primer is on the rim rather
than the center of the bullet."

Durkin: "All right."

Zalewski: "So, it has less... which reduces the force which
causes less damage."

Durkin: "Have you or your able counsel to your left actually
possess one of those types of devices in your lifetime?"

Zalewski: "No."

Durkin: "Neither have I. Has the gentleman to your left have?
He's a fine young man. I compliment him often on the
floor."

Zalewski: "I don't think he has either, Representative."

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Durkin: "So, does... you sure that he knows what he's talking about when he was whispering in your ear what exactly that meant."

Zalewski: "I... I rely on him extensively for these."

Durkin: "Are those types of devices currently available through any sporting goods store and/or gun shop throughout the State of Illinois?"

Zalewski: "Yeah... yes."

Durkin: "All right. Well, I think that there's a way to do this. We are... and I, again, I would repeat my request. How about pulling this out for at least a day, Mike, and we'll revisit it tomorrow 'cause I know that we could.. we could definitely reach an agreement on this very important but also, a bit emotional Amendment to the Bill. I'll make that request again. Would you please take me up on that?"

Zalewski: "No... no, Representative."

Durkin: "Well, I'm very disappointed. Thank you."

Speaker Lang: "Mr. Rosenthal."

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

Speaker Lang: "Gentleman yields."

Rosenthal: "First of all, Representative, a point of clarification. When Representative DeLuca asked about security... the armed security, if I read the Bill right, the only security that that would address is any... is armed security that's employed for securing nuclear facilities. In his case, he was a security officer for another elected official."

Zalewski: "Yeah. I... the hypothetical the previous speaker gave, Representative, I... he could have been an off duty police

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officer. I... My understanding was he would have... if the exemption applies to certain individuals who are exercising security functions in a limited role."

Rosenthal: "Okay. Well, the only thing I read in your Bill, in the Amendment, is for nuclear facilities. The other question I have is, if this Bill happens to pass, the Amendment passes, and 180 days after the effective date, and you happen to actually have some law-abiding citizens that turn in these clips... 'cause I'm like Representative Bost, I'm not sure that that would happen in my area... what kind of compensation do those individuals expect to get for turning in a clip?"

Zalewski: "None."

Rosenthal: "They're not going to receive any compensation for turning in these clips?"

Zalewski: "I... I can't... Unless they have a turn-in program, I don't... I don't know that... I don't know what the law enforcement community will handle... how they'll handle that."

Rosenthal: "Do you think that's fair to the individuals?"

Zalewski: "They can sell the weapon... or their magazine."

Rosenthal: "You know some of these are people who are long-term collectors, and they have quite a few items."

Zalewski: "I understand, Representative."

Rosenthal: "So, the question then, again, is, do you think that's fair to the individuals?"

Zalewski: "I think given the choice between turning in assault that the weapon and turning in the magazine and giving them a year to do so, is it fair, probably in your mind, no. I...

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I think that... if you think it's unfair you should vote 'no' on the Amendment."

Rosenthal: "Well, I in... I intend to vote 'no', and I encourage everybody else to vote 'no', also. But is this another case where Illinois goes one step beyond the rest of the country in attacking the Second Amendment?"

Zalewski: "I disagree, Representative."

Rosenthal: "Thank you."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. I yield my time to Representative Reboletti."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Sponsor, again, yields."

Reboletti: "Representative, as I've been reading your Amendment #10, I was trying to find where private security was exempted besides those individuals that work at a nuclear facility."

Zalewski: "Representative, I think I misspoke. I think the exemption for private security comp... companies is limited to subsection 5."

Reboletti: "So, it's not in this Amendment then?"

Zalewski: "What... I think I... I misrepresented what one of the prev... I think I misans... I didn't answer correctly what one of the previous an... questioners asked me."

Reboletti: "Representative, do you believe that this will be able to curb gang members from obtaining these if the State of Illinois were to ban them?"

Zalewski: "Yes."

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Reboletti: "Will that stop the flow of these magazines from the State of Indiana or the State of Mississippi?"

Zalewski: "I don't know, Representative, but it'll stop the flow within Illinois."

Reboletti: "Are you aware, Representative, I've done some research that New York state is the only state that's begin to try to confiscate either weapons and/or ammunition. Do you... are you aware of that?"

Zalewski: "No."

Reboletti: "And do you still persist to the fact that you don't want to try to amend this particular Amendment? Is there... is there a rush that we can't do this in ten minutes from now versus doing it at 4:42? What's the difference, Representative?"

Zalewski: "Representative, again, I've heard you and the previous, well one of the second before previous questioners tell me they'd be open to an Amend... to an Amendment. That's... to me, that's not enough to pull a Bill from the record."

Reboletti: "For ten minutes, Representative?"

Zalewski: "I don't know that it would take ten minutes to narrow down what we're trying to tighten up."

Reboletti: "But I can't imagine that at 4:43 it would be any different than 4:53, if Representative Durkin and I would... would be able to put... lend our support to your legislation and make some changes that we would potentially agree on in the art of compromise, and I know you're very skillful at that. Why wouldn't you take it out of the record for ten minutes? We could do that right now. Grandfather these in,

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move forward prospectively banning these large magazines, and... and let's move on to the next Amendment or next House Bill or next whatever it's going to be."

Zalewski: "I... Representative, I'm just not inclined to pull the Bill from the record."

Reboletti: "And that's, I guess, what's frustrating, Representative, I have the utmost respect for you. And I know that... I think in 95 percent of the circumstances you would do that on any other piece of legislation. I know that you're a very fair and reasonable man and an attorney. And I think it's just very difficult moving forward, then, for any of us to work together in a bipartisan fashion if we can't simply take something out of the record for ten minutes, make a very simple Amendment to grandfather something in, and pick up five, six, eight votes that might be swing votes with respect to a global package as you've talked about it with conceal and carry and gun safety and public safety. So, I, again, would appeal to that, Representative, and ask that you pull this out of the record just for ten minutes."

Zalewski: "I'm sorry, but the answer is no, Representative."

Reboletti: "Thank you."

Speaker Lang: "Mr. Costello."

Costello: "Mr. Speaker, with respect to the comments Representative Phelps made earlier about this impacting hunting rifles and hunting weapons, I would like to ask for a verification of this vote."

Speaker Lang: "Your request is acknowledged. Leader Acevedo."

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Acevedo: "Thank you, Mr. Speaker. To the Bill. There was some questions brought up as far as a police officer, and... and I'm going to an... try to answer them as best as possible. First of all, a police officer weapon of duty of choice is 10 or more rounds mandatory according to the police department that I currently belong to. Now, when a police officer, who is off duty, takes his weapon home, that's his duty weapon. So, he is obligated to have his weapon and make it safe and secure in his own home. Now, granted, and you have to understand it's a very important point that a police officer is a policeman or a policewoman 24 hours a day, 7 days a week. There was an incident where a police officer went into a grocery store, and there was a bank robbery occurring. She chose not to respond to that emergency situation, and she was penalized for it. Now, granted, if you don't have your weapon on you, you don't... you don't want to... you don't want to pretend you could pull out a badge and you don't have your weapon on you, of course you don't want them to harm anyone around you. But the point is, a police officer, I don't necessarily think we're talking about taking home an assault weapon because I believe some law enforcement agencies provide that weapon and you secure it before you leave. And if you do, you have... and if you take it home, you have to have it secured and locked up at all times. The weapons that we're talking about are duty weapons. Now, there was a point that another Representative brought up as far as private security. And I'm going to tell you, yeah, I used to have the... the extended magazines. And yes, one of the points was a

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nuclear facility were able to carry ex... extended magazines. Now, we don't know the situation where that individual who was guarding that elected official, was he an off-duty police officer? Was he a private security firm? A lot of times you have to go... to get your TAN card you have to have and go through the proper training to carry a weapon. And if... and if you do that, you're able to carry a weapon while you're on duty. Two hours before, two hours after, and that's to go home. So, in a situation where somebody is guarding an elected official, a lot of security firms, for their own protection, hire off-duty law enforcement agent... agencies. Whether it'd be police officers, whether it'd be Cook County Sheriff, whether it'd be parole officers, they want to make sure these indo... individuals are trained for their own purposes. So, that's one reason why these individuals who are involved in law enforcement are able to take the weapons home with a high-capacity ammunition clip. Yeah. I, myself, as a Chicago Police officer carry a 9mm... 9mm Smith & Wesson with 15 rounds and one in the chamber. But I will tell you this, if you look at some of the... the scenarios that have been on World News. I'll give you one example look at the bank robbery that happened in California where the extended clip that the individuals had, where the officers were out gunned. Law enforcement should always be exempt when we want to put the safety of our communities, the safety of our citizens first and I think that's first and foremost. And I think this is what we're only trying to do, and that's why we're... and I respect... I respect every one of you who are standing up for

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your districts. I respect the fact that you believe in... in guarding the Second Amendment, the rights of your constituents, but there's also ways that... that we have to help law enforcement be different from the average citizen, so they can protect the citizens who are not able to buy a weapon of choice. Thank you."

Speaker Lang: "Mr. Moffitt. Mr. Moffitt's not at his chair. Representative Wheeler. We'll come back to you, Mr. Moffitt. Go ahead."

Wheeler: "Thank you, Mr. Speaker. I'm going to yield my time to Representative Kay."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Gentleman yields."

Kay: "Mike, just a couple of real quick questions here. With respect to a law enforcement officer, is he under any duty to protect a citizen or citizens at any given time?"

Zalewski: "At any given time?"

Kay: "Yes."

Zalewski: "I... Yes, Representative."

Kay: "Are you sure?"

Zalewski: "I'm told by active-duty police officer the answer is yes."

Kay: "Well, actually there's a Supreme Court case that flies against your answer. So, having said that, and I know that's not... maybe not a fair question because it's kind of a difficult one, but having said that, since the... the police pursuant to a Supreme Court decision are not under a

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duty, then my question is, don't you think we should allow for the very type of provision that you're trying to eliminate with res..."

Zalewski: "Rep... Representative, would you vote for this Amendment if it were amended?"

Kay: "I'm sorry. Would I wha... I can't hear you, Mike. I'm sorry."

Zalewski: "Would... would you vote for this Amendment if it were amended in the way you suggest?"

Kay: "Well, I haven't suggested anything yet. I'm just trying to get some clarification on just exactly why we're doing this considering the fact that people in the past, under the Second Amendment, have always had... acted under the assumption that they had the right to protect their... their clothes and their home, clothes being their home, their house. And so, if we don't have law enforcement who really strictly don't have that duty to protect us, don't we have inherently, under the Second Amendment, the right to protect ourselves?"

Zalewski: "I... I don't think this infringes on the Second Amendment."

Kay: "Well, I think it does if you have somebody coming through the door with more power than you have in your house because this law somehow diminishes the firepower that you have in your home. I'm... I think it most certainly does. Wouldn't you agree with that?"

Zalewski: "I don't, Representative."

Kay: "Well, criminal... criminals typically have higher powered weapons that they can use than the average citizen. So, on

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a one for one basis wouldn't you want the citizen to have equal or better ability to protect themselves?"

Zalewski: "Again, I would point you to the video that I was told to watch about this issue. A shorter magazine allows for a quicker pace, so that rebuts your point."

Kay: "Well, I..."

Zalewski: "Why do we need to match magazine for magazine? Why is that necessary? If you're a good sh... Why if you're... if you're protecting your home, why do you need to go pound for pound with the intruder if... if the evidence, which I was shown, shows that it's quicker to..."

Kay: "Mike."

Zalewski: "...reload the clip."

Kay: "Well, common sense says that there's generally or there could be more than one intruder, there could be five. So, you know, the ratio between one and five is not very good, if they're after you or your possessions."

Zalewski: "Maybe I misunderstood the... the point of the exercise, Representative."

Kay: "Okay. Well, it gets back to the fundamental right, I think, of the Second Amendment and what people think they have the right to do and that's to protect their home, their family, their possessions. And I think what you're doing here is diminishing that. And once again, I'm going to vote... I'm going to ask for an ay... a 'no' vote."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. The hour grows late, the debate has gone on, I'll be very brief. Thank you for the opportunity to just reflect a moment. I've served in this

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chamber for 21 years. I never thought this day would come, here, in this chamber, in this Capitol, in this state when we would be potentially setting it up for big brother to go door-to-door to disarm honest, law-abiding citizens; it's very, very troubling. I think we better be very careful on this. We need to learn from history. There've been other countries that have tried to disarm their citizens. There was a World War followed one of those efforts and another country became a communist dictatorship. This proposal here is not just anti-gun, not just anti-Second Amendment, not just anti-self-defense, not just anti-law-abiding citizens; it's also anti-jobs as Representative Smiddy meant... and we've... mentioned, and we share some of those constituents that would be working at those three employers and neighboring states are trying to recruit those gun manufacturers out of Illinois because of our attitude here. I hope you will remember this. Not too long ago I had a call from a soldier who was getting ready to deploy to the current war zone, and he's on a base here in the U.S., and actually called my office, here. I returned the call. I said, first, I want to thank you for your service. I know you're getting ready to deploy. He said it's an honor to serve our country. I'm honored to... to go to war and defend the freedoms of this country, but will those of you in public office please work to protect my freedoms, as a law-abiding citizen, to own guns. I'm willing to do my part; I hope all of you will do yours. That was a real challenge to all of us. Vote 'no' on this proposal. Thank you."

Speaker Lang: "I have an announcement. Mr. Zalewski to close."

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Zalewski: "So, I... I want to recap our debate here. We've had a really robust discussion of the issues at hand. There's been some points that have been made that I want to rebut, specifically, and I waited 'til the end to do it. To the extent, we have geographical differences in this state. And we have folks that I... I hope nothing I've said today has come across as an attack on those who... those believers in the Second Amendment. I... I really do wish to craft a comprehensive, bipartisan Bill that will pass constitutional muster. I heard a lot of rhetoric that we're... we're gun grabbers in Chicago and that this won't solve the issues in Chicago and that Chicago is the problem and there's a divide. That's not the intent here and it's never been my intent to treat anybody in anyone else's district with any disrespect. My simple belief is this, if there's a view that you cannot ban assault weapons, which some have suggested, then the next most logical thing to do to avoid those instances where a spree killer unloads a significant amount of ammunition in a short amount of time, is to deal with high-capacity magazine. I know there's been suggestions about an Amendment. I'm more than willing to work with everybody, the Gentleman from Elmhurst, the Gentleman from Western Springs, to come to some sort of agreement here. I didn't pull the Bill out of the record today simply because I didn't think a lot of the opposition would ever be appeased. I know those individuals could work with me on this particular Bill. To the... to any other concerns about exemptions and security agents, we'll do our best going forward to accommodate those concerns. But to

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this specific Amendment, if you can't vote for an assault weapons ban, if you think that that is a bridge too far, then I would ask you to give serious consideration to... to this particular piece of... this particular Amendment and support its adoption. I'd ask for your 'aye' vote."

Speaker Lang: "The Gentleman has moved for the adoption of the Amendment. Those in favor will vote 'yes'; opposed 'no'. The voting is open. Please vote your own switches. There's been a request for a verification. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. DeLuca, Franks, Reis, Thapedi. Please record yourselves. Mr. Clerk, please take the record. On this question, there are 57 voting 'yes', 59 voting 'no', 1 voting 'present'. And the Amendment fails. The Chair recognizes Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

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

Acevedo: "At 2:10... 2:12 today in Rome was a historical day for anyone who is a Latino, a Latin American, but more importantly for all Catholics. You know, right before there was a caucus called I was going to be... talk about this individual who teaches and preaches about peace, love, and unity. And before the tempers started flaring and the blood pressure started rising, I wanted to bring that up that, you know, we should reflect and really learn and think about what he... what this individual preaches... preaches. This is the first Latin American from... a pope from a Latin American from... he was a cardinal Argentina and the first

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pope from the Americas. So, we, as Catholics, are very proud to say that we have announced a brand new pope, Pope Francis I. Thank you so much."

Speaker Lang: "Mr. Ford."

Ford: "Thank you, Mr. Speaker, for the opportunity. A point of personal privilege."

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

Ford: "Mr. Speaker, I know we had contentious debates today about the Amendments, but during the debates, a young girl name was used during the debate, named Jonylah Watkins. And it was pretty unfortunate that we would use her name in a contentious debate and not pay respect to the six-year-old girl that died in Chicago. So, I would like for the whole Body to rise for a moment of silence for the Watkins family, six-month-old girl."

Speaker Lang: "Please rise, Members."

Ford: "Thank you, Mr. Speaker and Members of the Body."

Speaker Lang: "Thank you, Mr. Ford. The Chair recognizes Representative Williams."

Williams: "Thank you, Mr. Chair. For purposes of an announcement."

Speaker Lang: "Please proceed."

Williams: "I wanted to let the Members know that the Governor is hosting a breakfast tomorrow morning for members of the Green Caucus from 7:30 a.m. to 8:30 a.m. in his ceremonial office. You'll get the opportunity to meet directors and liaisons from the EPA, DNR, ICC, and other agencies. So, hope to see you there. Thank you."

Speaker Lang: "Representative Kelly Burke."

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Burke, K.: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please proceed."

Burke, K.: "In the gallery, back there, we have a group from the John Marshall Law School, the legislative drafting class led by their instructor who is a former Democratic House staffer, Kevin Hull. So, can we welcome them to the Capitol?"

Speaker Lang: "Welcome to Springfield. The Chair recognizes Mr. Franks."

Franks: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please proceed. Is your prop girl ready?"

Franks: "Yeah. I think so."

Speaker Lang: "All right."

Franks: "Mr. Acevedo, thank you for pointing out the new Pope from Latin America. I think that's tremendous. When you think about that 1.2 billion Catholics from around the world came together in two days were able to make a decision that will affect so many people. And here we are in the General Assembly of years, and we can't get anything done. Now, 13 days ago we took to the floor, and we proposed a Committee of the Whole to address our state's mess... massive pension crisis, and we're not any closer to solving that issue today. Now, we called, some of us, for a suspension of all other business before the General Assembly until we address the underfunding of our pension system, and I believe that many of us, in this chamber, agree. So, again, I respectfully ask that Governor Quinn

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call the order of Special Session of the Legislature dealing solely with the pension issue. Again, we envision a Committee of the Whole where we bring constitutional experts, actuaries, and stakeholders to hammer out a deal that passes constitutional muster and ensures the long-term solvency of our pension trust funds. Now, we can address all our other business including the gun issues after this most pressing issue is done. Now, since I rose yesterday to discuss this issue, the state has accrued another \$17 million in debt to finance a pension system that is unsustainable. Now, in the Governor's budget proposal, he proposed cutting \$6.197 million from the Department of Children and Family Services budget for adoption and guardianship programs. Now, for those Members, myself included, who believe that every possible resource should be expended to encourage adoption, this should be especially shocking. Now, the budget... the Governor's budget, also, called for cutting almost \$7.7 million to the Department of Human Services' mental health permanent supportive housing program, and nearly \$3 million to public safety enforcement at the Department of State Police. Now, I did not single out these cuts of these programs at random. I chose to highlight them together because they're combined savings to the state are \$16.86 million. In other words, the cuts that I just highlighted to these vital programs represent a savings to the state of less than one day of inaction on the pension fund. Now, we can preserve those services for our constituents if we act. In the 13 days, since I proposed the Special Session, we have now

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accumulated \$221 million in debt, \$17 million, more than yesterday, and every day we're accumulating another \$17 million every day. Again, I respectfully urge Governor Quinn to lead on this. Again, drawing a cartoon snake is not Leadership. Throwing your hands up in the air saying I can't do anything about it is not Leadership. The elephant in the room is our pension system. The Governor acknowledged that in his budget address, but inexplicably still refuses to act. He must call a Special Session immediately that's focused solely on pension reform. We must fix this pension issue now; nothing else matters, nothing. I ask you to join me in this request."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. We agree."

Speaker Lang: "The Chair recognizes Mr. Reboletti. Is your light on regarding your Motions, Sir?"

Reboletti: "Well, first, a point of personal privilege then to the Motions."

Speaker Lang: "Please proceed."

Reboletti: "I'm... I'm surprised, Representative Franks, that you would rise on that 'cause tomorrow we're going to solve all the pensions with another special order of the day that I'm sure will be able to rectify all the things you opined about. I have no doubt because today's exercise has been so successful have no doubt that tomorrow will reap those same benefits for the people of the State of Illinois and secure the pensions of retirees, and have more money to spend on programs for DHS or the disabled, for everybody. But I can't imagine that this... tomorrow by about 5:06 I'm sure

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that will have been accomplished. And I would... I'm going to try to get a Roll Call of the vote when people on the other side of the aisle voted for a pension holiday, and I wonder what they think about it... about eight years later how that's really working out for the people of this great state. So, I ask for a Committee of the Whole, Representative Franks, on May 31 or eight months after that. So, I'm sure that will fall on deaf ears like many other things do around here. But I will, now, move to my Motions, Mr. Speaker."

Speaker Lang: "Well, let's proceed if we might first, Mr. Reboletti, with your Motion regarding House Bill 1925."

Reboletti: "Mr. Speaker, I rise on a point of order. Under House Rule 18(g), I move for the discharge of House Bill 1925 from the House Rules Committee that would be Floor Amendment #1 to House Bill 1925. And under Rule... House Rule 54(a)(2) all Motions are assigned Standard Debate status, and I wish to debate my Motion. Upon the conclusion of the debate, I ask for a recorded vote on the Motion to Discharge. And under Rule 49 in Article IV section 8(c) of the Illinois Constitution, any vote shall be a recorded vote whenever 5 Representatives so shall request; and there are at least 5 Members on my side that wish for a recorded vote of the Motion to Discharge Floor Amendment #1 to House Bill 1925 from the House Rules Committee."

Speaker Lang: "Mr. Reboletti, a Motion to Discharge the Rules Committee requires a unanimous vote. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I object to the Motion."

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Speaker Lang: "The Lady objects to the Motion. The Motion fails. What about your Motion on House Bill 1978, Sir?"

Reboletti: "Well, Mr. Speaker, again, I'm almost floored. We could almost knock me over with a feather based on the Gentle Lady from Hyde Park because I know that she probably supports House Bill 1925 Floor Amendment #1 which would add \$50 to any gun offense to help judges and circuit clerks be able to learn more about the statutes and make sure that everything is processed in an expeditious fashion, that the FOID card would actually have enough money to sustain itself and have all the information. But I know that many of you may want to vote on that, but we'll see when that comes out, and maybe that'll be a Floor Amendment that I'll file and we'll see if that is in the order of the next business. But I do, pursuant to the House Rules and to Unite... the Illinois Constitution, I would ask that we move to not sustain the Chair."

Speaker Lang: "Sir, your Motion's out of order. The Rules require unanimous consent."

Reboletti: "Is that dilatory also?"

Speaker Lang: "Representative Currie..."

Reboletti: "Mr. Speaker."

Speaker Lang: "Excuse me, Sir. Representative Currie has objected, and therefore, you do not have unanimous consent. Shall we move on to House Bill 1978, Sir?"

Reboletti: "Mr. Speaker, I rise on a point of order. And under House Rule 18(g), I move to discharge of House Bill 1978 from the House Rules Committee, that would be Floor Amendment #1. Under House Rule 54(a)(2), all Motions are

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assigned Standard Debate status and I wish to debate my Motion. Upon conclusion of that debate, I ask for a recorded vote on the Motion to Discharge. Under Rule 49 in Article IV Section 8(c) of the Illinois Constitution, any vote shall be a recorded vote whenever 5 Representatives so shall request. There are at least 5 Members on my side that wish for a recorded vote on the Motion to Discharge House Bill 1978 Floor Amendment #1 from the House Rules Committee."

Speaker Lang: "Mr. Reboletti, a Motion to Discharge the Rules Committee requires unanimous consent. The Chair recognizes Leader Currie."

Currie: "Thank you, Speaker. I object."

Speaker Lang: "The Lady objects. You do not have unanimous consent, and your Motion fails. Leader Cross."

Cross: "You know, Mr. Speaker, I'm curious what kind of sick little game are we playing around here? Five hundred kids... 500 kids since 2008 have been killed in the City of Chicago. Five hundred adults, last year, killed in the City of Chicago. And we've just spent three weeks, every Tuesday the last three weeks, playing some political game, I guess, with no... no direction of solving any of the problems associated with that. I don't know if it's... if it's politics; I don't know what it is. But I would argue, and I think most people in this chamber would agree that, 500 people being killed may be one of the biggest issues facing the City of Chicago and the State of Illinois that we have. I happen to think, even though I don't live in the City of Chicago, that that is a tragedy. I suspect every one of you

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do too. Five hundred people, 500 people. And then, I just watched a debate for the last two hours where Members on our side of the aisle pled with you and said legitimately... in a legitimate way said, I want to support your Bill if you make a change. I'll support you. Jim Durkin is a prosecutor... former prosecutor. Dennis Reboletti, former prosecutor, said to you, make some changes, I will help you pass your Bill. Nope. Not interested. So, what are you really after? Are you after solving problems? We had a Medicaid issue the last few years, we worked together to fix that. We passed a budget a couple of years ago working together. We passed a Capital Bill. Do you really want to stop the senseless killings in the City of Chicago or do you want to play these sick, little, political games week in and week out? That doesn't do a whole lot for the people who lost family members and kids. I think that is... that is the tragedy. Now, if you want to fix the problems, you've got four Bills that we filed a couple days ago. We filed them a year ago. We're not Johnny-come-latelies to this. We read the paper. We know when people get shot and killed. We're concerned about it. We have a package that we talked about yesterday. Jim Sacia, John Cabello, Jil Tracy, Dennis, Jim said we have some ideas. They're not all get tough on crime, some of them are. Some issues dealing with mental health, some issues... issues or some legislation dealing with how to deal with conflict, social/emotional learning, funding. Some comprehensive, well-thought-out approaches. And you sit here, in this... just arrogant way, in saying nope, I'm Representative Currie, and I stand up

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and I say no. We're not even going to listen to your ideas. You know I had a group of police officers in my office today, concerned about fight crime, invest in kids. They've probably been in to see you. A lot of times they want things to get tougher on crime, but a lot of times, and in this package, they say things like early childhood really will help a kid and keep him from ending up in DOC or maybe ended up not getting killed. After-school programs really make a lot of sense. Making sure kids get adequate nutrition early in the morning when they get to school makes a lot of sense. These are tough sheriffs and chiefs of police that say, let's get something done. But you know what, to Representative Franks point, we're not going to be able to give any money to those programs; we're going to have to cut those programs because we've played senseless little games on pensions. We went through that charade the last two weeks; we're going to do it again tomorrow. What's the end game? What are we doing here? Politics? Is that... what is that? We're going to have to cut education funding. We're going to have to cut higher ed. We're going to have to cut social services. We're going to have to cut human services because you have not decided to take the lead and find a way to solve pension problems nor have you taken any legitimate approach to actually solving this gang problem and this killing problem 'cause politics trumps all. When is that going to stop? You tell those 500 people's families last year how good you are at politics and how impressive that is that you've got the... best political minds in the state. That wouldn't do a whole lot of good to my family if

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I lost someone in a senseless killing because of a gang problem. I think I'd get a little sick and tired of it. And I think people in this state are sick and tired of this approach to governing 'cause it's not governing; it's politics in its crudest, ugliest, sickest way. And I think enough is enough. Jack Franks, thank you for standing up to your side of the aisle and to your Leader to saying enough is enough. We need to do pension reform, and we need to do it yesterday. That took courage and that takes courage, and I admire that. You and I may not disagree... mis... agree on everything, but on this, we agree, Jack, and you're to be... commended for that for having the strength to take on your Leader. And the rest of you, if you're really serious about fighting the gang problem, stand up to your Leader and say enough is enough, work with the people on the other side of the aisle that have experience and education in criminal justice in the State's Attorney's Office and are willing to fix these problems. This is a joke. We're all sick of it. And it's time we finally started acting like adults, or you do, and fix these problems. Thank you, Mr. Speaker."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate the Gentleman from the other side. I really appreciate his remarks. But I want to remind the Gentleman that none of my constituents sent me here as part of the agenda to fix a pension. We didn't create the problem that's not on our agenda. As far as guns are concerned, none of my constituents sent me here only to deal with guns and pensions. There are jobs that needs to

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be addressed. There are education issues that needs to be addressed. There are lots of things that needs to be addressed. There's lots of Bills that I have tried to pass on this side of the aisle that has been shot down by your side of the aisle as well as mine. I am sick and tired of the mothers and the families in my community crying on TV every night begging please save our children, save our homes, save our jobs. And there has been deaf ears every which way I turn as if the south side and the west side of the City of Chicago do not exist; we do exist. We are human beings. We want to be respected. We want to be protected. We want to educate our children. None of you want anything no better for yours than I want for mine, but your agenda is not my agenda. Until such time, you address... ask me what is it that I want in my community and stop dictating to me what you think I should have. We need to work together. My agenda is not pensions. My agenda is not guns. Let us put education back into the schools, fully fund. Let us stop putting people in jail for crimes that should have been probationable. Let us create jobs for the State of Illinois. Let's be different. Let's stop doing the same thing over and over and over again. It's not only about police officers; it's about our future. It's about the children of the State of Illinois. You hear about the ones in the City of Chicago, but do you hear about the ones in your area? They're being raped; they're being robbed of their youth and their... their education as well. Your areas are no better than mine. You're suffering the same... the same plight. The difference is this is the City of Chicago.

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We're a little darker, we're a little browner, we're a little poorer, but guess what, we're human, and I'd be damned; I will go down fighting for what I believe in. And I believe in my children, I believe in education; and I'm going to make sure that I stay down here to see things the way that I think my community should be. I want mine to be the same way. I want my kids to go to the park just like yours for free. I want to feel free not to be on home confinement. I want to feel free to walk down my streets. I pay taxes; why is it that I can't feel free to walk down the streets? Why is it that my children cannot play? Why is it they can... we can't have gym and exercise like your kids? Tell me why? Our children are human as well. Don't have no pity party for me; get off my back, help me to raise up my community that supports your community. Stop making poor people poorer, so you can make rich people rich. Get off my back. Thank you."

Speaker Lang: "Leader Cross."

Cross: "Mary, that was well said in a lot of ways and I agree with a lot of what you said. And we do care about kids in your City of Chicago and in downstate Illinois. And my point wasn't to pick on anybody or to say it was all about making crime... making it tough on crime. I think this General Assembly, in many ways, has spent too much time making, you know, enhancing penalties. I think we do need to worry about early childhood education. I think we do need to worry about after-school programs. I think we do need to worry about lunch programs all over the State of Illinois. It's not just about getting tough on crime. I

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agree with you, Mary, 100 percent. And the people that came into my office today, as police officers, were not advocating getting tougher on crime; they were talking about things like that. My point, simply, about pensions, Mary, is because nothing is getting done. We won't have the money to address the things that you and I... I suspect, other than sharing a birth date, actually do have other things in common. We don't have the money, and we won't have the money. We have no choice but to have to fix the pension problem. And... and we can point fingers at everybody but that doesn't do us any good. It's time to move forward and fix the problem, so you and I and everybody in this chamber can make sure we get people good jobs, and good education, and safe communities. And we need to do that together. Thank you."

Speaker Lang: "Mr. Reboletti, you have a Motion in Writing relative to House Bill 3009."

Reboletti: "Mr. Speaker, I'll withdraw whatever other Motions I have pending."

Speaker Lang: "To be sure, you filed a written Motion to Discharge Judiciary on both House Bill 3009 and House Bill 3217."

Reboletti: "That's..."

Speaker Lang: "You're withdrawing these Motions, Sir?"

Reboletti: "I'm withdrawing those written Motions."

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

Clerk Hollman: "Agreed Resolutions. House Resolution 145, offered by Representative Senger. House Resolution 147, offered by Representative Yingling. House Resolution 148,

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offered by Representative Rita. House Resolution 149, offered by Representative Jefferson. And House Resolution 150, offered by Representative Zalewski. And House Resolution 151, offered by Representative Tracy."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Committee announcements. Members, please listen to the committee announcements. The 1:30 meetings are not going to meet at 1:30. So, please... please listen to the committee announcements."

Clerk Hollman: "The following committee has been canceled: the Appropriations-General Services Committee has been canceled. Meeting immediately after Session is the Business Occupational Licenses Committee in Room 115, Labor & Commerce in Room 114, and State Government Administration in C-1. Meeting an hour later is Appro... Public Safety in C-1, Energy Committee in Room 413, and Higher Education in Room 115."

Speaker Lang: "Mr. Reis."

Reis: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please proceed, Sir."

Reis: "We've had a long day, but I would like to remind everyone that one of the best receptions of the year is the Illinois Pork Producers and Illinois Beef Association's joint reception tonight. Pork chops, prime rib at the Hilton, 5:30 to 7:30."

Speaker Lang: "Thank you, Sir. Mr. Dunkin."

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Dunkin: "Thank you, Mr. Speaker. The Black Caucus will meet in Room 115 at 6:30 this evening. Thank you."

Speaker Lang: "Thank you, Mr. Dunkin. And now, Leader Currie moves, allowing perfunctory time for the Clerk, that the House stand adjourned 'til Thursday, March 14 at the hour of 12 noon. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Motion carries. And the House does stand adjourned 'til Thursday, March 14 at the hour of 12 noon."

Clerk Bolin: "House Perfunctory Session will come to order. Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 13, 2013: recommends be adopted Floor Amendments 5, 6, and 7 to House Bill 1166. Introduction of Executive Orders. Executive Order 13-04, Executive Order eliminating and consolidating boards and commissions, submitted by the Office of the Governor. First Reading of Senate Bills. Senate Bill 56, offered by Representative Zalewski, a Bill for an Act concerning civil law. Senate Bill 1191, offered by Representative Evans, a Bill for an Act concerning regulation. Senate Bill 1303, offered by Representative Lilly, a Bill for an Act concerning regulation. Senate Bill 1309, offered by Representative Wheeler, a Bill for an Act concerning revenue. Senate Bill 1358, offered by Representative Turner, a Bill for an Act concerning public aid. Senate Bill 1366, offered by Representative Nekritz, a Bill for an Act concerning public employee benefits. Senate Bill 1373, offered by Representative Brady, a Bill for an Act concerning

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regulation. Senate Bill 1379, offered by Representative Unes, a Bill for an Act concerning regulation. Senate Bill 1383, offered by Representative Brauer, a Bill for an Act concerning transportation. Senate Bill 1456, offered by Representative Moffitt, a Bill for an Act concerning local government. Senate Bill 1499, offered by Representative Burke, Kelly, a Bill for an Act concerning local government. Senate Bill 1561, offered by Representative Brauer, a Bill for an Act concerning finance. Senate Bill 1595, offered by Representative Beiser, a Bill for an Act concerning finance. Senate Bill 1599, offered by Representative Drury, a Bill for an Act concerning State government. Senate Bill 1600, offered by Representative Drury, a Bill for an Act concerning regulation. Senate Bill 1658, offered by Representative Williams, a Bill for an Act concerning insurance. Senate Bill 1659, offered by Representative Turner, a Bill for an Act concerning revenue. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."