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Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Pastor Dennis Hamilton, who is the pastor of First Baptist Church in Edinburg, Illinois. Pastor Hamilton is the guest of Representative Scherer. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and Pledge of Allegiance. Pastor Hamilton."

Pastor Hamilton: "Our gracious Heavenly Father, we do thank You for this day. And Lord, we just ask You to be with these lawmakers, Representatives of our great state. That you will guide them with wisdom in all of their decisions that they make. We ask all these favors in Your precious Son's name, Amen."

Speaker Lang: "Applause for the prayer. We'll be led in the Pledge today by Representative Jones."

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Hernandez and Soto are excused today."

Speaker Lang: "Mr. Bost."

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

Speaker Lang: "Mr. Clerk, please take the record. There are 114 Members present and we do have a quorum. Mr. Bost."

Bost: "Inquiry of the Chair."

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

Bost: "I was just wondering if maybe the Session could be like the prayer, quite a blessing and very short."

Speaker Lang: "We'll get back to you on that, Sir. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 23, 2013: recommends be adopted is Floor Amendment #1 to House Bill 390."

Speaker Lang: "On page 18 of the Calendar, under the Order of Resolutions, there appears House Resolution 290. Mr. Smiddy. Mr. Clerk."

Clerk Hollman: "Be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Congress, the Department of the Army, and the Department of Defense to again review Captain Albracht's heroic actions at Firebase Kate and if warranted, upgrade the Silver Star bestowed on him for those actions to the Medal of Honor."

Speaker Lang: "Mr. Smiddy."

Smiddy: "Thank you, Mr. Speaker. As Memorial Day approaches, we will honor those who fought, defended and gave their lives protecting our nation. Today, I am asking for your consideration of House Resolution 290. I would like to thank Representative David Harris for his help and support on this Resolution. I would also like to recognize Mr. Albracht and his friends and family that are here today. They are seated in the Speaker's Gallery. This Resolution is asking the Department of the Army and the Secretary of Defense, Chuck

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Hagel, to reevaluate Captain Albracht's heroism while serving in Vietnam at Firebase Kate to see his actions may warrant our nation's highest military honor, the Congressional Medal of Honor. In October of 1969, Captain Albracht was a senior ground commander at Firebase Kate in Vietnam. While under heavy attack by North Vietnamese forces, Captain Albracht was wounded, but was able to lead his men out of Firebase Kate repeatedly putting himself in harm's way for the safety of his men. During his service in Vietnam, Captain Albracht was awarded three Silver Stars, three Purple Hearts, three Bronze Stars, two Air Medals and the Army Commendation Medal for Valor. I would appreciate an 'aye' vote. And I will answer any questions that you may have."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor of the Resolution... excuse me. The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. I... I know it's early in the morning and everybody's moving and we've got the... Ladies and Gentlemen, we're honoring a person who has the highest award in the land for his service and Mr. Smiddy just introduced him, he's in the gallery. And this is about him and believe me, if one thing we owe him is silence and respect for the man that he is and for the honor that has been bestowed on him in the Congressional Medal of Honor."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker and Representative Bost, thank you for... for that. Ladies and Gentlemen, we do truly have a hero in our presence. I've heard about his actions in Vietnam and other times he went on and served in the Secret Service

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and any number of things. So, first and foremost, would you join in a show of a round of applause for Captain Albracht and what he has service. I do want to commend Representative Smiddy for advancing this. It's a... I really appreciate that. It's long overdue, but at least it's finally coming to show our appreciation and our efforts. I was present in the Quad Cities when he had an opportunity... one of the individuals that he tried to save and I won't go into the details, but when their base came under attack and he and another soldier were, I guess you'd say dove for protection in a bunker. The soldier with him, unfortunately, later died, but Captain Albracht carried that soldier, exposing himself to enemy fire trying to get him medical help. And I believe he, the soldier, literally died in his arms. That soldier had a son, a baby born back home who was just a few weeks old and he had never met. He died before he got to come home and see his newborn. Captain Albracht, at that meeting in Quad Cities, got to meet that son who's now, I guess, in his forties. And they met face to face for the first time and I know Captain Albracht said, when I looked into the face of that son of the soldier, that he had attempted to save his life, he said I could see the eyes of that soldier. And that's just one of the many times. Captain Albracht, your first concern was always trying to, one: protect our freedom and along with that, protect the men for whom you were leading. There's no better time than right now and as we look at Memorial Day weekend and go home and spend a little time there, I'd like to spend all day Memorial Day just thanking those that have served. But when we want to know, what does a hero look like, what are the

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deeds that lead to someone being a hero, you need to look no further than up in that balcony. This is overdue. It's an honor to have you in our presence and Representative Smiddy, thank again for what you're doing. But most of all, we thank all those who have served and an example is right up there. Thank you."

Speaker Lang: "Mr. Riley."

Riley: "Speaking on the Resolution. Again, thanks to Representative Smiddy for bringing this. Thank you for your service, Captain Albracht. You know, if one wonders about what the Captain has done and where he did it... I know when I first saw this Resolution, it was just tremendous. Many of you may not remember the Vietnam War, but for those who do and for those who don't, you can look it up. The Central Highlands of Vietnam were hot. Plain and simple. Anyone who served in the Central Highlands, it was a very hot area. I've known some people who have gotten some commendations. I never knew anyone that had three Silver Stars, three, five Bronze Stars and of course, a Purple Heart. I think all of you know what you have to do to earn a Purple Heart. This is a tremendous, tremendous gentleman we have up here. Often, in the fog of war, a lot of things that go on, a lot of things that happen aren't always recorded. I think this is on that really needs to be reexamined and someone who has earned these kinds of medals serving this country certainly should be considered for the Medal of Honor. So, again, thank you for your service. Thank you, Representative Smiddy, for bringing this Resolution."

Speaker Lang: "Mr. Harris."

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Harris, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. And the previous speaker made reference to the fact that the individual in this Resolution won three Silver Stars. There is only one way to describe this man and that is he is a warrior. He is one who went to war and did what his country did... did what his country asked him to do in a truly exemplary manner under combat conditions. He is a warrior, three Silver Stars. Now, the possibility of being upgraded to the Medal of Honor is uncertain, but we have asked for a review which is appropriate in terms of what the Department of Defense ought to do in looking at his actions at Firebase Kate. But what an honor to stand here and ask that that review take place for someone of this caliber. So, my hat's off to him. He has served this nation. He has served his Army with outstanding, outstanding achievement. So, proud to cosponsor this Resolution."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, you've heard some amazing words regarding Captain Albracht. One thing I did not hear, perhaps, when Mr. Smiddy was reading the Resolution it was mentioned, I did not hear it, but he was the youngest Captain in the Vietnam War. And we've heard some... some beautiful comments, very appropriate comments. Representative Moffitt referred to him as a hero; Representative... General Harris referred to him as a warrior. I got the privilege of knowing this gentleman on the campaign trail this last fall. I had heard of his feats often before that, but a word that should sum up all of his accomplishments is he is truly a gentleman. A very humble man and a gentleman

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who does not tout his accomplishments. He is very humble about them and that is typically the true mark of a hero. Thank you, Captain Albracht, for your service, your brave fight and in particular, for being such a tremendous gentleman."

Speaker Lang: "Mr. Costello."

Costello: "Captain, as a veteran myself, I would just like to personally thank you for your selfless act of heroism and for your participation in allowing us to practice the democracy that we in this chamber are practicing here today. Thank you."

Speaker Lang: "Mr. Smiddy to close."

Smiddy: "Ladies and Gentlemen, Mr. Albracht has served our nation his entire life. He fought and defended our nation in Vietnam, he protected our leaders as a member of the United States Secret Service and today, continues to support veterans in our local community and throughout our nation while asking for nothing in return. I have known Mr. Albracht for almost 20 years. I never knew of his accomplishments or what he had done because he had never talked about them. He truly is a humble person. I am honored to be able to give this Resolution, but the most important word that I guess I can give to Mr. Albracht is that he is my friend. And I ask for your support of House Resolution 290."

Speaker Lang: "Those in favor of the Resolution will say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. Thank you for being with us today. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 386, offered by Representative Dunkin. House Resolution 387, offered by Representative Halbhook. House Resolution 388, offered by

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Representative Gordon-Booth. House Resolution 391, offered by Representative Drury. House Resolution 392, offered by Representative Gabel. And House Resolution 393, offered by Representative Will Davis."

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. Under the Order of Resolutions, there appears House Joint Resolution 36, Representative Burke."

Burke, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Joint Resolution 36 is a matter that deals specifically with the examination of how we fund our charter schools. We have, for some time now, engaged in discussions with all stakeholders in this issue. And I believe that we have addressed every entity's concern with respect to how this will be conducted. And I'd be happy to answer any questions."

Speaker Lang: "Mr. Burke moves for the adoption of the Resolution. The Chair recognizes Representative Pihos."

Pihos: "Yes. Thank you, Mr. Chair. Will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

Pihos: "Yes. Representative Burke, are there any other discussions going on about school funding?"

Burke, D.: "Yes, certainly, Representative. You, in fact, were the one in committee, the 1 'no' vote on this matter, that brought that issue forward."

Pihos: "Right. Well, my fear is that if we have separate discussions about school funding in a variety of task force rather than streamlining them together that at the end of the



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day we will have multiple task forces that have worked on the same issue and we won't have any resolution because their recommendations may be counterproductive. So, I'd just like to point that out to the Body. There's more than one task force moving forward with multiple discussions on school funding including charter school funding. And I think, at the end of the day, we could come out with recommendations that will conflict with each other and that's a grave concern of mine. Thank you."

Speaker Lang: "Mr. Ford."

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

Speaker Lang: "The Gentleman yields."

Ford: "Leader, I want to commend you for doing a House Joint Resolution dealing with charter schools. I'm a proponent of charter schools and I'm a proponent of all the choice for students in Illinois. Could you tell me why you moved it from a Bill to a Resolution?"

Burke, D.: "Well, as you know, Representative and we certainly appreciate your concern for charter schools and your support through the years, but as you understand charter schools have been the subject of much debate and controversy. In order for us to come with a credible recommendation, as you know, my previous legislation would have commanded that charter schools be funded equally to the traditional public schools. Given some of the... of late issues that have arisen, we thought it would be appropriate and practical to certainly include every one of the stakeholders that has a concern for public education in our state, get their input and do a serious job of examining why there is discrepancy with respect to the way

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we fund charter schools. So, we're going to give it a very important consideration, again, with all these experts that have made themselves available for this discussion to take place."

Ford: "Thank you and to the Resolution. I... I guess that's why you're the Leader. I... I got to tell you this is a real important issue and I know that charter schools are going nowhere. And it's important that we deal with this situation in this manner. I was a opponent to the Bill because I thought that we needed more discussion to do what's right for the school children in Illinois and I think this Resolution will do that. And I hope that I can be a part of some of the discussion so that we can do exactly what taxpayers will want us to do with their tax dollars. So, I rise in full support and I praise you for moving this to a Resolution and taking it from a Bill and giving the people more time to think about it and discuss for a better Bill in the future. Thank you."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Hi there, Speaker. Good morning. You look phenomenal. You're welcome, Representative."

Speaker Lang: "Thank you."

Chapa LaVia: "Will the Leader yield for a question?"

Speaker Lang: "Yes, he will yield."

Chapa LaVia: "Representative Burke, I stand behind you on this House Resolution. I think it's about time we relook at a lot of things in education. Minority Chair Pihos has already stated, you know, there's another task force that's being created to look at funding formula for GSA in the State of Illinois and how we fund, inequitably, but fund education

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right now and looking at that formula, it might change. I had requested in committee and I wanted to go on record that the Minority Chair and myself be able to be present at your meetings, even though we might not be named on the task force, if you could make sure that we are invited to your meetings. I think it's very important as we're relooking at charter schools, virtual reality charter schools, blended schools that are charters, all that over the summertime so we have the best form of education for every child and it's equitable. So, I want to thank you for bringing this forward. I know there's a lot of issues in Chicago now with funding. I think it was very proactive of you and I want to work in hand in hand with you. So, thank you for bringing it forward. I urge an 'aye' vote."

Burke, D.: "Thank you."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "The Gentleman yields."

Kay: "Representative, I want to commend you on putting forth this Resolution. I happened to hear part of the testimony in committee the other day that you provided and I heard two words that were, I thought, very, very important: measurement and performance and competition. And I think those are all three things that I don't hear enough about around here and I think for that very reason I would like to be added as a cosponsor to your Bill. I think what you're doing here not only is proactive, it's simply the right thing to do. We have, in some respects, for many, many years, shortchanged this particular form of education in Illinois, this mode of

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education. I think it's time to do the very thing that you're suggesting. I commend you for your effort. Thank you, Sir."

Burke, D.: "Thank you, Sir."

Speaker Lang: "Representative Davis."

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

Speaker Lang: "The Gentleman yields."

Davis, M.: "I would just like to know who will be the appointed members of this task force and exactly what will their roll be?"

Burke, D.: "Thanks for that question, Representative. Certainly, we would imagine that the... what I... I'm not being facetious, but the regular suspects with respect to public education, all of the entities that we engage with routinely. We have Chicago Public Schools. We have all of the charter organizations, the IEA, IFT, all of the regular organizations that have weighed in with respect to their concern for public education."

Davis, M.: "Will there be a..."

Burke, D.: "...and their... the chairman of this or the chair of this task force will be elected by the members that have been appointed to participate."

Davis, M.: "Elected by what members?"

Burke, D.: "By the members that have been appointed to..."

Davis, M.: "Okay."

Burke, D.: "...participate."

Davis, M.: "Is their objective to make sure that the state gives equal funding to charter schools as to regular public schools?"

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Burke, D.: "Well certainly, Representative, as you know, when we create task forces, they are legitimately engaged in trying to come up with an answer to a very difficult concern. It might happen that we will conclude that these charter schools are funded appropriately right now. So, it's hard to predict what the outcome of this task for... task force will be."

Davis, M.: "Well, I was listening to my colleague, Representative Pihos, as she asked what will be different about this task force than the others that have been formed that... is it possible that there will be conflicting resolutions to the same problem. I mean, couldn't this group join some of the existing charter school task forces?"

Burke, D.: "Representative, I have to say... insist to you that I've been very encouraged by the meetings that have taken place thus far with all of these committed educators and administrators of our public schools. I am con... very convinced that we're going to do a serious job in examining this subject of charter schools that has been up for such great controversy and discussion for several years. So, I am convinced that these are legitimate stakeholders and that we're going to come out with a Resolution that is appropriate and meaningful."

Davis, M.: "To the... to the Resolution, Mr. Speaker. You know, I'm just really concerned when the initial operation of charter schools was to use and develop some innovations and when they were successful, to share those methods and innovations with their public school system so they could institute them. Charter schools were not initiated to change our whole system from a regular public school to a different kind of privatized

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charter school. That was not the... that was not the concept in the beginning. And it is troubling, it is troubling to me that we're starting a whole new system of educating children and there's very little continuity except if you belong to the same private network. So, but Dan Burke, I respect you. I know you're doing what you think is absolutely best and I'm going to see what my other colleagues think. Thank you, Sir."

Speaker Lang: "Mr. Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. To the Resolution. Representative Burke, I want to commend you on this Resolution. I want to emphasize here that charter schools are public schools and there was a House Bill, I want to say it was 980, this year that would have equalized their funding. Now, we can argue about whether or not charter schools are the best way to do things, but the bottom line is, being public schools, if they're going to be something that we experiment with in terms of innovation, in terms of governance, they need to receive the same equal resources that we do with public schools. That's just my opinion. This task force will examine that and determine whether or not it believes it to be the case. It's the right thing to do if this experiment's going to have any chance of working. These schools, public schools and charter schools, which are also public schools, ought not be pitted against each other. This Resolution gives us a chance to examine how we do that in a way that is productive for the citizens of the State of Illinois. I urge the support of this Resolution."

Speaker Lang: "Mr. Davis."

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

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Speaker Lang: "The Gentleman yields."

Davis, W.: "As I'm reading the analysis, Representative, about, I guess, what this commission is supposed to do. One of the challenges with the charter school funding is the overall impact that it has on a school district's general state aid. Will that be discussed? Will we be able to delve into how it impacts the general state aid funding to a school district?"

Burke, D.: "That would be one of my goals, Representative, to come up with that determination."

Davis, W.: "Okay. Well, I want to be certain because, kind of the way it's... way it reads, is that it's looking at ways to try to figure out how to make sure that charter schools are funded equitably. And in order for that to happen under the way things are currently structured, that means you'd have to take more of a school district's general state aid in order to make that happen. And I want to make sure that that conversation or that part of it is addressed in there, so you at least hear the impact that, by looking at the possibility of a larger percentage of funding or equitable funding as you would probably call it, the impact that it does have on a school district. And then also a situation where it's easy to say that a school district voted and they welcomed that charter school into their district and they were able to, you know, able to, you know, use one of their existing school buildings for it. You know, but if in the case in School District 227 in the south suburbs where it appears that the local community did not want the charter school, but of course the State Board of Ed, I believe, allowed it to move forward. So now, they have a new building that's costing more money,

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meaning a different building other than one of the school buildings, that's costing more money. So they're having a greater impact on the general state aid in that district and I just want to make sure that if we're going to have a conversation about funding with charter schools that it is all encompassing and talks about the challenges that exist with looking at equitable funding for charter schools and taking into consideration some of those scenarios."

Burke, D.: "That would certainly be my intention, Representative, as we progress and move along over the summer that we would address your concerns in that regard."

Davis, W.: "Thank you very much."

Speaker Lang: "Mr. Burke to close."

Burke, D.: "Thank you, Mr. Speaker, Ladies and Gentlemen. Thank you. I appreciate those Members that rose and inquired and offered their comments with respect to this issue. And I'd simply ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Resolution vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves. Arroyo, Costello, Ford, Harris, Mayfield. Mr. Clerk, please take the record. On this question, there are 87 voting 'yes', 25 voting 'no', 2 voting 'present'. And the Resolution is adopted. Mr. Clerk, House Resolution 238, Representative Sente."

Sente: "Thank you, Mr. Speaker. House Re..."

Speaker Lang: "Ladies... Ladies and Gentlemen, this is a Death Resolution, so could we keep the noise down in the chamber. Thank you very much. Please proceed, Representative."



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Sente: "Than you, Mr. Speaker. House Resolution 238 memorializes and honors Illinois State Trooper, James Michael Sauter, who was tragically killed in the line of duty just eight weeks ago on March 28. Trooper Sauter was in his squad car after having just helped a motorist when his vehicle was rear-ended by a semi-truck on the Tristate Tollway heading southbound at Willow Road in Northfield. Both vehicles burst into flames. His end of watch was shortly after 11 p.m. and he died of his injuries before the next morning. Trooper Sauter was an Illinois native. He was born to Don and Eileen Sauter, grew up in Chicago Ridge with his younger brother Matt and recently moved to Vernon Hills after marrying his lovely wife, Elizabeth Cowan, just a short two and a half years ago. Jim's wife, Elizabeth, his parents, Don and Eileen, his brother, Matt and his girlfriend, Jess, his in-laws, Rob and Christine Cowen, ISP director, Hiram Grau, and First Deputy, Brian Loy, along with District 15 Commander, Joe Perez, and several of Jim's peers all are before us in the Speaker's Gallery. Unfortunately, I never had the pleasure of meeting Jim Sauter. I say this especially after spending time learning about the impressive individual he was. Jim was 28 years old. He was full of life and had a great sense of humor and a strong Christian faith from enjoyable times he spent at a youth bible camp. He was a graduate of Lewis University in Romeoville and in 2008, fulfilling a personal dream, he joined the Illinois State Police. He epitomized the Illinois State Police motto of integrity, service and pride and he had just completed a temporary assignment in the State Police air operations and was recently assigned to District 15, which covers the

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tollway. Jim was respected by his peers and appreciated by his supervisors. If you've ever been on a tollway and in need of assistance, you'll agree with me about the valuable role that Jim Sauter and the individuals that stand above us in the Speaker's Gallery play in our lives. I've been on a tollway in my car, alone and out of gas. On another occasion, alone with a flat tire. I lost my sister on a state highway when her car rolled over in a tragic accident. Each time, a friendly face, a State Trooper was there. Someone with kindness in their heart and a desire to help a motorist in distress stopped to help. We can't all do it. It requires a special type of person that chooses to put his or her own life in danger, to walk towards trouble when others are running away and they often work during hours when we are safe, sleeping in the comfort of our home. They are driving our roadways to keep us safe. We all mourn the loss of James Sauter, his family, his friends and peers and every motorist who was touched by his kindness."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. I appreciate the opportunity to speak to this. Trooper Sauter was Representative Sente's constituent, but the accident happened in my district and it was quite a tragic thing to wake up in the morning and learn that there had been a death of a Trooper on... on a highway that I traverse every day and... and am very familiar with. And I just wanted to express my condolences to the entire Illinois State Police family for the loss of one of the Troopers. Trooper Sauter, while he was still a cadet at the Illinois State Police Academy, demonstrated the kind of public servant

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that he was. He was returning from the... to the academy after a weekend off and saw a woman lying on a roadway after a motorcycle accident and he grabbed his first responder bag and ran across a few lanes of traffic to assist the woman. And he cleared her air passages and kept her comfortable and kept her air passages clear until the ambulance arrived and she survived her injuries as a result of his actions. So, that's excat... that's the kind of work that I know that our Troopers do every day and we all appreciate it. And again, as we said it's a very tragic loss when we lose one of our public servants in the Illinois State Police. Thank you."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Elizabeth, Don and Eileen, family members and the family of the Illinois State Police and all of law enforcement, I, like Representative Sente and Representative Nekritz, stand before you offering sincere condolences and our profound sorrow. I, like Representative Sente and Representative Nekritz, did not have the privilege of knowing Trooper Sauter personally. I do know something about the brotherhood and the sisterhood of the Illinois State Police. And I know something about the brotherhood and sisterhood of law enforcement in general. And Representative Sente's very touching comments really got her arms around how these Troopers, these men and women, are out there when we are safely in our homes. We are so grateful for what they all do. We stand with you in mourning your loss. May God rest his soul."

Speaker Lang: "Mr. Cabello."

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Cabello: "Mr. Speaker, Ladies and Gentlemen of the House, as a police officer myself, it's a very difficult day when we have to stand here and do this. Police officers put themselves on the line every time they put the uniform on, every time they put the badge on. It's a lifestyle. It's not a job. To the family, thank you for letting us have him in our brotherhood. He saved many people that you will never know about. He did many good deeds that you will never know about. He changed people's lives that you will never know about. Everyone that he touched will now have a better life, but they will never forget him and neither will we."

Speaker Lang: "Mr. Rosenthal."

Rosenthal: "Thank you, Mr. Speaker and fellow Members of the General Assembly. Unlike the previous speakers, I did have the opportunity to meet James several years back while he was a cadet at the academy. His uncle, Gary Stevens, brought him down to the farm to the hunting preserve and you could tell that he was a young man with a bright future and that he was living his dream. That's what he wanted to do. It was easy to tell from just a short, brief meeting that he was proud to be a member of the Illinois State Police that he was looking forward to serving the people of Illinois. And he will be missed by family, friends, and all of the people of Illinois. Thank you."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Mr. Speaker, Members of the Body. I also did not have the pleasure of meeting the Trooper, but I've had the pleasure of working with the Illinois State Police in both District 5 and District 15 for almost eight years prior

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to coming to this Body. I can tell you, also having lost a friend, a Joliet police officer, I understand how close-knit the brotherhood and sisterhood is. It's amazing how we take for granted our daily lives. We honor fallen heroes here all the time. And that's what this Trooper was. Every day he went out not knowing if he would come home, not knowing what he may find or see. And I have a fond appreciation knowing that the traffic stop or any type of traffic situation is probably the most dangerous that any police officer would face. But he understood those risks and he understood them and undertook them knowing that if he could save one life, he would put his life in that place, and that's exactly what he did. And I know that as the family grieves, we all grieve. The State of Illinois grieves. But this democracy and our safety cannot go on without these brave Troopers and brave officers who for 24/7 are out there. I know because I dealt with them at 3:00 in the morning. I've had the privilege of working with Narcan officers when weapons or drugs were being transported and were making decisions because people's lives were on the line. And it is an honor to be a part of this Resolution and I'm sure Representative Sente will have us all join the Resolution, but we mourn with you today. We will not forget Trooper Sauter, just as we do not forget the other fallen officers here right outside this Body because we cannot. His service will be not... will not be forgotten and we will not forget the family and all of the brothers and sisters of the Illinois State Police. May God rest his soul."

Speaker Lang: "Representative Burke."

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Burke, K.: "Thank you, Mr. Speaker, Members of the House. I did not know Trooper Sauter, but I did have the good fortune to work with his wife, Elizabeth. The Sauter family's from Chicago Ridge which is in my district, and his wife is a junior high teacher at Simmons Junior High School and I've had the pleasure of helping her work with her class on the legislative experience. And as she has described her husband to me, the pride and love that she had for him, she talked about how he had trained as a pilot and then left flying with the State Police to work patrol and how he loved doing that. So, I wish them my deepest sympathies and thank them for the service of their son and husband."

Speaker Lang: "Mr. Costello."

Costello: "Thank you, Mr. Speaker. To the Sauter family, I would like to wish my sincerest sympathy. To the Illinois State Police and to all members of law enforcement, I would like to also express my sympathy. As a past member of law enforcement myself, like Representative Sacia and Representative Cabello, I know what it's like to be out at two or three in the morning and pull someone over on a dark road and to have an Illinois State Trooper, who you may not even personally know, come and back you up. It's a brotherhood or a sisterhood that you can't explain unless you're there. And thank you all for the sacrifices you make every day. And thank every family of any law enforcement member for the sacrifices they make by giving of their men and women in their family as they too often do."

Speaker Lang: "Mr. Reboletti moves that all House Members be added as cosponsors to the Resolution. Hearing no objection, that will be adopted. Representative Sente."

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Sente: "Thank you, Mr. Speaker. To Elizabeth and Eileen, Don and Matt, the other members of Jim's family, including all the Troopers from the Illinois State Police, on this eve of Memorial Day weekend, I offer each of you my condolence and the condolence from the rest of this Body. May each of you feel Jim's presence in small ways throughout your daily lives for the rest of your lives. And I'd like to ask the Body for a moment of silence."

Speaker Lang: "Thank you. The Resolution was adopted previously. And to the family, our condolences. Senate Bill 2193, Mr. Phelps. Please read the Bill, Mr. Clerk."

Clerk Hollman: "Senate Bill 2193, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Phelps, has been approved for consideration."

Speaker Lang: "Mr. Phelps."

Phelps: "Yes, I'd like to adopt the Amendment, Mr. Speaker and debate this on Third, please."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Mr. Verschoore, for what reason do you rise, Sir?"

Verschoore: "As you know, I don't get up on the floor very often, but I feel compelled to get up for this very important legislation that my seatmate is about to present."

Speaker Lang: "Mr. Verschoore, could we wait 'til Third Reading..."

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Verschoore: "Okay."

Speaker Lang: "...for this. Thank you very much. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2193, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A few weeks ago, with the June 9 deadline looming and only a few Session weeks left, a group of Legislators knowledgeable about this concealed carry issue came together and we decided to begin discussing a Bill that would gain bipartisan support. So, first off, let me say, I want to thank Representatives Sullivan, Reboletti, Bost, Bradley, Costello, Mautino, Beiser and Verschoore. I also want to thank both attorneys involved in this from both sides of the aisle. As we all know, after years of debating this issue, it is incredibly difficult if not darn near impossible, to come to a middle ground on this issue. Every Legislator on this floor has a different opinion when it comes to concealed carry policy."

Speaker Lang: "Ladies and Gentlemen..."

Phelps: "Thank you, Mr. Speaker."

Speaker Lang: "...Ladies and Gentlemen, this is a very serious piece of legislation. It will probably take a while to debate, but we all... we're going to have some significant debate on it, but we can't proceed with that debate if this chamber is as noisy as it is now. So, could we please hold the conversations down. Mr. Phelps."



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Phelps: "Every Legislator on this floor has a different opinion when it comes to this concealed carry policy. Even among us gun right Legislators and even among the gun control Legislators, our ideals of the perfect concealed carry legislation is not identical. There is not a Bill that we could possibly draw up in which every single Legislator on this Floor would be perfectly happy with. We live in Illinois. We never thought this day would come. Recognizing this, we sat down at the table with both sides of the aisle and our staff, Ben and Brandon. Thank you, two, to Heather as well. And we worked on this issue for many weeks and days and we tried to draft something up from scratch. So, to the gun rights Legislators, here's some provisions that I think that we will like. You got a 'shall' issue. I never thought we would have a 'shall' issue. This provides us and our constituents' assurances that arbitrary factors won't be considered in issuing licenses. We want extensive vetting to applicants. We have it in this Bill. If the applicant meets those requirements, they 'should' and 'shall' get a license. Preemption, total preemption. We want one uniform law to provide proper notice that law-abiding people, carrying under this law, where they can carry and cannot carry. The General Assembly will continue to advocate for uniform gun policy throughout the state in the future on firearms issues. We got a safe harbor for our vehicle transportation. All licenses can keep... licensees can keep their firearm safely locked in their home right now, but under this Bill we can keep our firearms safely locked in our car or trunk out of plain sight. One of the other things we can go back home and say, we're

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phasing out the FOID card. With all the problems that's happened in the FOID card system, we're going to solve this together. So now, for the Legislators that are for gun control, we've identified some provisions that maybe and hopefully will get your support. Some of the similar prohibitive areas under 997 that a lot of us have voted for are in this Bill. We've also identified.. we don't want to take guns in schools, in bars, playgrounds, public gatherings and mass transit. We also establish a clear objection standard for not only local law enforcement, but all levels of law enforcement which suspect an applicant, on reasonable suspicion, and it will be reviewed by a review board. This review board is a seven-member review board, one appointed from each Supreme Court district that will be appointed by the Governor, that will be confirmed by the Senate and it's not more than four in one Party. So, we've got some bipartisan make up on this review board. They will review every objected applicant that the.. that this.. local law enforcement will object to. We also do not want any people that is a threat to others and a threat to public safety; they're not going to carry in the State of Illinois. We will also properly screen everybody that is fit to own a firearm. Now, here's some commonsense provisions that the working group came up with for some of the Republicans. We want to allow private businesses and property owners to do what they want on their property. That makes sense. Businesses must post and if it's your property, you can do what you want to. We're going to enhance our criminal history and mental health background reported in our checks. That is a travesty. There's not mental

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health reporting going on in this state. Together, this is our best chance for a reasonable, court opinioned that came down from the Seventh Circuit. I can guarantee a couple things. Every single Legislator on this floor is not going to like everything in this Bill. I can also guarantee that based on my extensive negotiations for all who voted the last decade, keeping in mind the emotions and ideologies involved in this issue, you will not find a more balanced concealed carry that incorporates policies and consideration from both sides of the issue and from both sides of the aisle. Finally, I guarantee that not a single one of us from either side wants to put our constituents and the people of this state under the legal uncertainty that will follow if we don't pass a Bill by the end of this Session. I respectfully ask each of you to consider the circumstances that we are under and I ask for an 'aye' vote, but before I do that, I want to dedicate this to a few people that need to be acknowledged. I want to dedicate this to Otis McDonald. I want to dedicate this to Mary Shepard on how we got here. I also want to dedicate this to all the other Legislators that tried to run this Bill such as our dear friend, Joel Brunsvold, the late Joel Brunsvold. And last but not least, I want to dedicate this to a person that was tragically killed just the other day on his way down to Springfield that really, really believed in the concealed carry issue. I want to dedicate this to Sean Gowder and his family. With that, Mr. Speaker, I ask for an 'aye' vote and I'll take any questions."

Speaker Lang: "The Gentleman moves for the passage of the Bill. Ladies and Gentlemen, there are a number of speakers on this

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Bill and we do need to have it quiet in the chamber. So, I'm going to ask all of the private conversations to move to the rear of the chamber. I'm going to ask the Members to restrain themselves and listen to the debate. I am going to use the five minute timer. First person I will recognize is Mr. Sullivan for five minutes."

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

Speaker Lang: "The Gentleman yields."

Sullivan: "Representative, one of the big concerns that have been addressed in this legislation that I want to review is the idea of statewide preemp... preemption and what I mean by that is total preemption of all laws regarding the firearms in the state. Is that correct?"

Phelps: "Yes."

Sullivan: "So, when we talk about that, there are certain municipalities that have their own laws and I want to address some of those in the county of Cook and the City of Chicago. Currently, there's an assault weapons ban that will be declared null and void."

Phelps: "Yes."

Sullivan: "There is a Cook County sin tax, money or tax on all guns. Is that correct? That'll be..."

Phelps: "Yes, anything to do with firearms."

Sullivan: "...declared null and void. Registration one gun a month in the City of Chicago will be declared null and void?"

Phelps: "Yes."

Sullivan: "Including licensure and any transportation type restrictions that are in the Cook County, City of Chicago?"

Phelps: "Correct."

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Sullivan: "Thank you. To the Bill. I want to thank Brandon and the working group on my side and the other side for, really, a good effort on a good Bill. Good legislation means there's give and take. You want to feel that your words and your ideas have been heard and I think that's what we have today. You're not going to like everything and you're going to like some of it, but at the end, we have very good legislation that needs to move forward. Those in favor of concealed carry, we have the statewide preemption and so you no longer have a hodgepodge of laws where the intent, almost, is to create a criminal out of law-abiding citizens and we certainly don't want that. You have a 'shall' issue. You have a 'shall' issue which means you're not going to have a rogue public official saying, I'm just going to deny everyone their Second Amendment rights, which we certainly don't want. And if you like concealed carry in this Bill, your car is your safe harbor, which is certainly something we want when we're going to and from work and we might have to go to an area where concealed carry's not pro... is prohibited. Those that are concerned about concealed carry, let me tell you this. This Bill has the most training in the nation. You have to be certified to be able to operate the weapon and then when you renew your license five years later, you have to do continued training and continue to know how to operate and fire the weapon. The strictest mental health requirements in the nation. Ladies and Gentlemen, this Bill will have the strictest mental health requirements in the nation. That is something, certainly, all of us can advocate for whether we believe or do not believe in concealed carry. And lastly, prohibited areas will include

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schools and playgrounds which, certainly, many people want. Ladies and Gentlemen, nobody wants to miss the court-ordered time frame and we're under the gun. To miss the court-ordered time frame leads to chaos in my mind. You could have potentially no laws, which I don't think we want. We could have a hodgepodge of laws based on Home Rule statutes which, once again, will criminalize law-abiding citizens and deny constitutional rights. Those who want concealed carry, and let me tell you this, the Attorney General can order a stay and we will not have concealed carry for at least two more years. That's certainly something we do not want. Brandon, I want to thank you for your leadership. I've been here for 10 years with you. You're a seatmate.. or a classmate and I know you worked hard on this. And the day has come and it's a lot of good work. I certainly appreciate your efforts. Thank you."

Speaker Lang: "Mr. Costello for five minutes."

Costello: "Thank you, Mr. Speaker, Members of the House. I also would like to thank Representative Phelps for his years and years of work prior to, even myself, getting here. And I'd also like everyone to know that this was something that was worked out in a very bipartisan fashion in my opinion, almost more so than anything I've experienced in the two years that I've been here. I'd like to ask some questions for legislative intent and I think it's very important for the Body to listen to this. So, Mr. Phelps, the Bill lists numerous sensitive places in which the General Assembly has decided to prohibit the carrying of firearms. For the purpose of legislative intent, can you explain the scope of prohibition on carrying a concealed firearm in a public or private school?"

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Phelps: "Yeah. The intent is to ensure that no firearms will be carried in our schools or on our school property. This includes any building, property, parking lot under the control of the school or school district. Any property the school or school district has the authority to occupy, regulate or control would be considered a place a licensee cannot carry."

Costello: "And what about the scope of carrying in parks?"

Phelps: "The Bill prohibits carrying in a public park located in a municipality under the control of the municipality or park district. This does not prohibit carrying in state parks, forest preserves, conservation areas or other open space areas. The intent is to keep guns away from the areas which our children play, athletic fields including soccer, baseball fields, basketball courts, open recreation areas. The intent is not to prohibit carrying on walking trails or bike paths that they may be in on a pass-through. This does not mean all property controlled by a park district is considered a prohibited area. For example, the beaches and docks along Lake Michigan may be controlled by the Chicago Park Districts, but they are not parks and therefore, they are not prohibited areas."

Costello: "Okay. And with most prohibited areas, the limitations on carrying depends on whether or not an entity has control over the property. For the purpose of legislative intent, what is meant by 'under control' or 'under the control'?"

Phelps: "So, the term 'under the control' means the authority to exercise power or influence over to regulate or control. I'm referencing the definition of control from the Black Law's

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Dictionary. For example, a licensee cannot carry a concealed firearm into a building or portion of a building owned, leased, or occupied by an officer of the Executive or Legislative Branch of government. That means you cannot carry within a state building. This includes, but is not limited to the Capitol and the Secretary of State's Driver's License Facility or correctional institutions or within the Capitol complex and offices owned or leased by another constitutional officer. I'd like to point out and ensure that persons using DNR parks and recreation areas can carry if the location falls under the area designated by DNR."

Costello: "Okay. And most importantly, can you please explain the scope of the preemption language?"

Phelps: "Under this Bill, the state is exercising its power to be the exclusive regulator of firearms. Units of local government will not be permitted to establish local ordinance or regulations concerning the regulation, licensing, possession, carrying and transportation of firearms or ammunition. Any ordinance currently in effect would be invalidated and units of government would be precluded from enforcing any future ordinances. No local enactment that is not specifically authorized by the Legislature may be passed or enforced in the future. This means all laws pertaining to firearms must be adopted at the state level."

Costello: "Thank you very much, Representative Phelps. Ladies and Gentlemen, just really quickly, I want to go over some statistics that I read the last time that we debated on 997, at that particular time, and these are FBI uniform crime report statistics on concealed carry. And when concealed



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carry is adopted in the United States, in general, there's a 22 percent decrease in violent crime rates, a 30 percent decrease in murder rates, 46 percent decrease in robbery rates and a 12 percent decrease in aggravated battery rates. I would also like to point out that when the handgun ban was repealed in the City of Chicago in 2010, in 2011 homicide rates went down by 14 percent. Violent crime rates went down by 9 percent. Property crime rates went down by 1 percent. When the handgun ban was lifted in Washington D.C., homicide rates the next year went down by 34 percent. Violent crime rates went down by 12 percent. Property crime rates went down by 11 percent. And these are uniform crime report statistics as well... as well as reports from the police departments from the City of Chicago and the... in Washington D.C. Ladies and Gentlemen, I want you to think about this, and I... and those of you who are taking a pro gun stance, but a little bit leery of this Bill, I want you to know the 'may' issue Bill that does not have preemption that is in the Senate, if it comes to this House, and no offense to my colleagues that are from the City of Chicago, that Bill can be passed with 60 votes. And I'm telling you, the Governor would love to sign that Bill and I believe the City of Chicago would love to push that Bill. This Bill may not be perfect, but it is 'shall' issue; it's total preemption and there's a group of bipartisan Legislators that have worked extremely, extremely hard on this. We're under a court order of June 9. We should have one standard for the state. I urge an 'aye' vote."

Speaker Lang: "Mr. Brauer for five minutes."

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Brauer: "Thank you, Mr. Speaker. Representative, I've got to congratulate you. You have a Bill that has brought back a lost art to this chamber. You have conversation. You have compromise. You know, the previous speaker, who I have the utmost respect for, said it wasn't the perfect Bill, but it's as close, I think, as we're going to get. It's a very emotional Bill. When emotion goes up around here, you know what happens to intelligence. It generally retreats. I think you have a very intelligent Bill. I'm certainly going to support it, but I do have a couple questions. For legislative intent, does anyone that passes the 40-hour police training board, do they have that federal ability to conceal and carry?"

Phelps: "Yes. They would not have to go through the further training on this... in this piece of legislation, Representative Brauer."

Brauer: "Okay. That's very important. I think there's a lot of people out there that are really concerned with that. The mass transit issue, even though downstate that's not an issue, I'm afraid when you look at Chicago and the part of this Bill that you have to take out the bullets, put them in separate compartments, I'm concerned when someone goes into a station if they don't do that before they pull out the gun, what do you think that's going to create as far as hysteria?"

Phelps: "Yeah. And Representative Brauer, and I know you know this, they have to do that right now anyway. 'Cause you can still take a firearm to and from the mass transit, but you have to have it broken down, unloaded, or in a case in your bag."

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Brauer: "Well, and again, my concern is what happens when somebody does that in the station as opposed to maybe going into a private area to do that. That's... that is a concern that I have and I think that will probably be a trailer Bill that will need to be addressed."

Phelps: "Yeah. They would have to get it broken down before they go on that property of the mass transit and... but they could use public property to do that, Representative."

Brauer: "It's been stated that the Governor doesn't like this Bill, the Mayor of Chicago doesn't like that Bill. We have some concerns downstate, but I think they're acceptable. You know their talk about the \$150 for a license for five years. Please address that."

Phelps: "Yeah. You know, and here's the thing. Here's one thing we've got to remember, everybody on this... on this floor, we have a court ruling to deal with. So, I would find it appalling for the Governor and the powers that be want to go off the cliff 'cause there's way too much uncertainty on this. So, why would you want to put the people of the State of Illinois in jeopardy by going off the cliff. So, that would be my concern to the Governor and to the powers that be."

Brauer: "Also, the training..."

Phelps: "And the fee... and the fee."

Brauer: "Yes."

Phelps: "The fee. It's a kind of a combination of what we've done in other states, \$150 for five years. That's \$30 a year for five years. We do not think that is ridiculous. And it's similar to what Florida does and what Texas does, so we think we're in line with most other states."

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Brauer: "Where will that money go?"

Phelps: "Okay. So, what we're going to do is, is we're going have, since this is a new program for the Illinois State Police, we're going to give them the bulk of the money. I believe it's \$120 to implement this program 'cause we want them to do it right and not what has happened in the travesty of the FOID card program, as we all know. We're also going to give a few... some money to make sure the mental health reporting gets done in this state because we don't want mentally unstable people to have guns in the State of Illinois. And then we're going to take \$10 of that to open up the crime labs because our investigations are backlogged and we don't think that's right."

Brauer: "Well, Representative Costello talked about the other states, what the crime rate has done in the other states. Do we have a state that has rejected the conceal and carry once they've put it in place?"

Phelps: "There has not been, and I think this is very important for the Body to hear, there has not been one other state to repeal their concealed carry law because, Representative Brauer, you and I know that concealed carry works. In everywhere it's been in this country, crime has gone down dramatically."

Brauer: "One final question and that concerns a committee. The committee will be seven people appointed by the Governor?"

Phelps: "Appointed by the Governor, confirmed by the Senate, but not more than four people in one Party or the other."

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Brauer: "And that they... now, this is the part that I don't understand. Someone said they will have to have a federal position."

Phelps: "Yeah. They... we tried to bring the level of expertise up and nothing wrong with saying that state officials can't be appointed, but we wanted federal prosecutors, former federal FBI agents such as Representative Sacia. I wish they could... I'd like to have him on there."

Speaker Lang: "Please bring your remarks to a close, Sir."

Brauer: "Thank you, Mr. Speaker. I think that's the first time I've ever used my five minutes."

Phelps: "But real quick on the fee, Representative Brauer, we wanted to make sure the fee was reasonable to get this program up and running and done right."

Brauer: "Okay. And... and..."

Phelps: "And make sure the State Police was solvent on this."

Brauer: "...and then rejections. Who can ask for a rejection?"

Phelps: "Any level of local law en... any level of law enforcement can make an objection if they know a person is a detriment or a danger to themselves or to society."

Brauer: "Sheriffs and police chiefs?"

Phelps: "Yes. Mainly back... especially in county, we're not going to have a part-time deputy being able to object. It would have to come through that major law enforcement official."

Brauer: "Thank you, Mr. Speaker, for your indulgence. Again, people, I think we have a Bill here that shows some intelligence and shows some compromise and there was certainly a lot of conversation. I urge an 'aye' vote. Thank you."

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Speaker Lang: "Representative Cassidy for five minutes."

Cassidy: "Thank you, Mr. Speaker. To the Bill. There's been a lot of discussion of the role that the Illinois State Police is going to play in this and I want to make clear the State Police is also opposed to this Bill. There's been discussion and statistics of improvements in public safety in other areas that have experienced concealed carry. I have before me statistics from the Violence Prevention Center. Five hundred and eight people, including 14 members of law enforcement, since 2007 have been killed in incidents, non self-defense incidents, by concealed carry permit holders. This is not a panacea. There's been discussion of the strictest training standards in the nation. We require 40 hours of training to get a commercial driver's license. More people die from guns than from trucks; 16 hours is nothing. The preemption language in this Bill is far too broad. If you want to preempt for the purposes of concealed carry, then preempt for the purposes of concealed carry. Home Rule exists because our communities are different, because we're a big state with a great deal of regional diversity. There is no reason to take out all of the local laws around our state that are related to other gun-related issues, the assault weapons ban in the City of Chicago and in Cook County. Thank you, Mr. Speaker. Chicago's lost and stolen ordinance is another good example. There are too many reasons why we, as a state, have Home Rule. We allow for Home Rule because of our differences. We require this higher level of scrutiny to preempt Home Rule for a reason. We set a bar. Other communities can customize to fit their community and that is simply what we are asking for here. I have the

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alcohol issue. Why is it okay to have a few glasses of wine in a restaurant, but not okay to have a few beers in a bar? If you are... if you're in an establishment that sells alcohol, very simply, guns don't belong there. It's that simple. Fifty percent is a false measure. This should apply to bars and restaurants that serve alcohol. Ultimately, as I've said before, it is not soup yet. I've asked repeatedly. We are a large state. We have very diverse communities. I respect the wants and needs of the communities that are different from mine. And I implore the Sponsor and the proponents to respect the wants and needs of our communities. I urge a 'no' vote."

Speaker Lang: "Representative Williams for five minutes."

Williams: "Thank you, Mr. Speaker. To the Bill. I first want to point out some provisions of the Bill that I am pleased to see included. I appreciate the Sponsor and the proponents of the Bill including a prohibition on carrying on mass transit. We all know that it doesn't make sense. I appreciate the inclusion of the prohibition on public parks, street fairs, crowded places. However, these issues are much less significant if we don't have the Home Rule preemption that my colleague who spoke before me referenced. I am going to join Attorney General Lisa Madigan, the City of Chicago, the county of Cook and many others in strongly opposing this Bill for that reason. The reality, as we have stated, is that Illinois is an incredibly diverse state. How are we diverse? We're diverse in terms of population density, incredibly diverse in terms of density. We are diverse in terms of our attitudes and the cultures surrounding firearms, and that's a reality we simply can't ignore. How many times have all of us heard,

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every other state has concealed carry so should we. That's what the court said, fine, but 49 other states don't have the sort of regulation we're proposing today. Many of those states, including New York, New Jersey and California, have regulatory schemes that provide for the diversity of their states. Those are states where there are incredibly dense urban areas, big cities and very urban areas just like Illinois. We should model our legislation in that way as well. As for the Home Rule, the Seventh Circuit had a very specific directive. That directive was to provide for concealed carry in the State of Illinois. We go so far beyond that in this Bill by preempting and in effect, repealing, invalidating hundreds, if not thousands, of local laws and ordinances. I think we need to think long and hard before we do this. I requested... I represent one municipality, the City of Chicago. I requested a list of the ordinances that would be invalidated and repealed if this were to pass. I have four pages worth. I ask you if you've reviewed what would be repealed and invalidated under this measure in the communities you represent. You might be surprised at what's out there in terms of banning certain types of weapons, taxing the sale for example. This just isn't the right approach and goes far beyond the directive of the Seventh Circuit. Proponents have said we don't need to create a patchwork. I understand that, but don't the fact that we have local lawmaking bodies in effect mean that we have a patchwork of laws in many areas. Again, as my colleague asserted, this is to reflect the realities of our communities. So, a patchwork is the reality now. In terms of public safety, this Bill lacks a very



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important piece that is important to my community in terms of public safety. This Bill does not provide for universal background checks. This is supported by the vast majority of Americans and I'm sure the vast majority of Illinoisans. Why is that not included in this Bill? The issue of alcohol makes no sense to me. Everyone here would know and agree that alcohol and guns don't mix. That's why we included the prohibition on bars, but the distinction makes no sense. A determination of whether someone should be consuming alcohol while carrying a loaded weapon is not hard to make. The answer should be no. For these reasons and many more, again, I enjoy some of our lead... I will join some of our leading law enforcement organizations in strongly opposing this. And I urge a 'no' vote."

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

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

Speaker Lang: "The Sponsor yields."

Bost: "Well, first off, Representative, let me tell you I appreciate all your hard work on this. I said when you carried the other Bill, 19 years we've been working on this or I've been work... I'm one of the ones that have the great pleasure of also not only working with you, I have worked with your uncle on this. But you know, what is your... what was the official position of the Illinois State Police on this piece of legislation?"

Phelps: "We believe they took no position because after the committee yesterday we met with them again, Representative, and you were there trying to work out their issues."

Bost: "And they said their position was no position."

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Phelps: "They slipped no position."

Bost: "That's what... you know what, that's what I need to hear.

You know, Ladies and Gentlemen, we can each stand on this floor and we can debate the issue, but you can't change what was done in committee. They slipped no position and the reason they had no position was is because we were working with them to put language together that met all their requests. That has been done. You may disagree or you may not like everything in this Bill. Just so you know, there are those of us that are in support of the Bill that don't like everything in the Bill. But we've worked together in a bipartisan manner hashing this out and I mean, it was tough. The Sponsor, many others sitting around this chamber, to make sure that we crafted a Bill that is sensible, that meets the criteria set forth by the courts, that will also allow for the opportunity for law-abiding citizens to get that opportunity to have a concealed carry permit, allows for uniform laws. Some of the Members from the other side of the aisle said it was a very diverse state. You're right, it is a very diverse state. So, why is it that... and you say well we shouldn't do this because there's people that are in a diverse area that don't agree with it. Well, there's people in my area that... they're diverse in another direction and they do. But the reality is, is we have the Second Amendment of the Constitution and we, in the State of Illinois, have chose to ignore that over many, many years. And I've said on this House before... floor before and I'll say it again, why is it that we, in the State of Illinois, are the very last to do this? Are we... do we think we're smarter? Do we think we're smarter? If we're so smart, why do we have

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a city that has the highest crime rate in the nation, if this works so well, by not having concealed carry? Somebody spoke a while ago and said that where states have passed concealed carry the crime rate goes down. Actually, there was a study done in 1995 from the University of Chicago and I think I've quoted this here before as well, that said that crime goes down when concealed carry is passed. And it was... it was a guy that... he said he wasn't a gun guy; he was just a numbers guy. Crime goes down. Well, then he said no, no, no, now wait, there's two places it doesn't go down. Vending machine break-in where vending machines are left unattended and automobile theft where automobiles are left unattended. Why is that? Criminals are cowards. If they think that there's an opportunity that they're going to get in trouble, they're going to get caught or possibly get shot, because they don't like fair fights, they're not going to commit the crime as often. I'm not... I want you to understand that that was not done by a group of people that you might consider just somebody who's really crazy on guns. It was done by a trusted university, not based on anything but the actual facts. Ladies and Gentlemen, we've waited a long time. You might like some of this and odds are you don't like all of it. Many of my constituents would like to see it a little further than what it is right now. Ladies and Gentlemen, this is a Bill before us. It will cure those problems we have with the courts. We can move this forward to the Senate. It is my hope, with the amount of Senators that are standing in here, that they will work very hard to make sure this Bill passes as well; it goes to the Governor's desk, that the Governor will sign it quickly

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and that that looming date of May 9 that's... or June 9 that's coming up, that we will meet this, pass this and our citizens will be protected and safe. Vote 'aye'."

Speaker Lang: "Mr. Zalewski for five minutes."

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

Speaker Lang: "The Sponsor yields."

Zalewski: "Brandon, you and I, a few weeks ago, we had a... Mr. Speaker, I think Bran... Representative Phelps is having a hard time hearing me."

Speaker Lang: "Ladies and Gentlemen, can we please keep the noise down. I don't know why it's so hard to do that. Could I ask all people who are having conversations on the floor, all people, staff, Members, whoever's on the floor, who's talking go to the back of the chamber or leave the chamber? Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. Brandon, a few weeks ago when we did Senate Bill 997, you and I had a pretty good discussion, and what I said at the time was if you were willing to do any number of things to the Bill I think there were a number of us that could support the Bill. And at the outset, I'll say that I'm prepared to support the Bill given the number of changes that you've made and I commend you for that. The one remaining issue, I think, that exists is the issue of Home Rule preemption. And given the realities that the state faces and what they're up against with respect to the Seventh Circuit's opinion, I know why we're doing what we're doing here today. My question for you is, what's the plan going forward? How are we going to address issues with

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respect to firearms and public safety in this Body going forward?"

Phelps: "Yeah. Representative, and I appreciate your input as well because by getting this working group together we crafted a Bill within the parameters of what the court ruling said and we don't think there should be any more court cases. That's why we're wanting one Bill, one uniform law that we think would muster the Constitutional... or the objections of what's going to happen when it gets appealed and things like that. So, what I would say what's going to go forward and not being able to see the future of course, but all... everything to do with firearms would come to this Body and the General Assembly."

Zalewski: "So, that's a tall order for this Body, Brandon and given what's going to come down the pipe, my question for you is if you're prepared here today to commit to us that there won't be a whittling away of the restrictions that are being put in place in this Bill, that's supported by yourself or those who support the Bill."

Phelps: "Yeah. And you know, here's the thing. I can only speak for myself, as you know, and we've had this conversation. Now I know there's going to be Legislators now and in the future that is going to probably draft legislation for some political reason back home to try to whittle away at what we're trying to do. I understand that and that's probably nothing that you and I are going to be able to control. But I just think right now of where we're at, with what's coming and the too much uncertainty, what happens after June 9, I think this a good

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first start. Rome was not built in one day. And we're going to keep working on this for years to come."

Zalewski: "See, that's the thing, Brandon. I think a lot of us would feel that this isn't so much of a start as it's to... hopefully to finish. I would hope that given the comprehensive nature as the most restrictive 'shall' issue, presumptive, preemptive Bill in the country that this is the finish line. So, what I'd like to know is, as the Sponsor of the Bill and as the person who's led the charge on this, if when Bills come down the pipe you're going to be willing to stand with me and we're going to work together to do what's in the best interest of all parts of Illinois."

Phelps: "You know, I... you know, I can't speak for the pro gun Legislators in this..."

Zalewski: "I know."

Phelps: "...but here's the thing. Over 50, 55 percent of the Legislators in this Body are from Cook County and the collar, so I have concern being a downstater on that issue. Maybe I should ask you."

Zalewski: "No, I... and Brandon this is really..."

Phelps: "I told you would list..."

Zalewski: "...it's a really good question. And I think... I think you're right. I think as some of us are going to have to have that same attitude about what goes on going forward. But again, for those of us who have been worried about this for a long time, to do... to take this vote and be for this Bill, we would ask you as the Sponsor and the champion of this Bill to say that going forward you'll stand with us, that we'll have an open and honest dialogue about any future..."

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Speaker Lang: "Please bring your remarks to a close, Sir."

Zalewski: "Thank you. One... just your commitment, Brandon. I understand you can't speak for everybody else, but your commitment."

Phelps: "Yeah. Representative Zalewski, just what I've said earlier to you, I'd be honored to work with you on these issues. But I just think... here's the problem I foresee and that's why I think it's just ridiculous that everybody wants to have home rule, all of these ordinances. You have 220 home rule municipalities in this state, 109 of them have some kind of different firearm policy from one town to the other."

Zalewski: "Sure."

Phelps: "So, if Representative Sullivan and Representative Bost and I go up to pick Representative Sullivan and go to Wisconsin, I just think that we're making the law-abiding gun owner a criminal because he or she is not going to know from one town to the other what's expected of them. And I just think that that's absolutely wrong. That's why I think, and I think some of you will agree, let's have one law. Anything to do with firearms, let's bring it here."

Zalewski: "And Brandon, I think the flip... and I appreciate what you're saying. I think the flip side of that coin is if we're going to give the Legislature this much power to regulate within a central place, it's imperative that we don't begin to erode this agreement the minute it becomes law. And I hope... you've given the best you can, your word that you won't let that happen and I'll hold you to it 'cause I know you're an honorable guy who's worked hard on this. And con... and thank you for your time."

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Speaker Lang: "Mr. Mitchell for five minutes."

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

Speaker Lang: "The Gentleman yields."

Mitchell, C.: "So, a couple of questions, Brandon. So, first of all, when we look at the board, one of the ramifications that a person who's been arrested five or more times within the past seven years for any crime or three or more times in the past seven years for gang-related offenses is automatically subject to review by the board. Is that review... does that start as a presumption of denial or is it just a flat being subject to review?"

Phelps: "Representative... It's starts at review, but that's a trigger to go to the review board. That was a Representative Martwick Amendment that we voted on. I think it got about 85 or 86 votes."

Mitchell, C.: "So, to be clear, they're just subject to review. They're not presumed, despite the nature of their offense that automatically triggers them, they are not presumed to..."

Phelps: "Right."

Mitchell, C.: "...be denied. There's no extra burden of proof."

Phelps: "The board has to make sure that they are a danger to society and to themselves."

Mitchell, C.: "In the same way that they would any other application."

Phelps: "Exactly. It just make... it's just a trigger mechanism, Representative."

Mitchell, C.: "Okay. So, second question as it relates to penalties. So, a first violation of carrying in a prohibited area is a Class B misdemeanor. Can you tell me why you chose



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the Class B misdemeanor and can you give, for the sake of the Body, an example of another Class B?"

Phelps: "So, this... those penalties will only apply to people with concealed carry permits, Class B; Second offense, Class A; third offense, revocation. Because remember, the people that are going to apply for these concealed carry licenses are law-abiding gun owners. The bad guys already have the guns. We're just trying to make sure we can protect ourselves and our families, but anybody else that does not get a concealed carry license, the other penalties shall apply for a UUW which would be felony."

Mitchell, C.: "Okay. Thank you, Representative. To the Bill. First of all, I want to give credit where credit's due. I think the Sponsor has worked on this a great deal. I think there are a lot of things in this Bill to be liked as it relates to sensitive locations as well as some of the affirmative actions on mental health. But I rise in strong opposition to this Bill and I strongly object to the characterization of this Bill as a concealed carry Bill. It is more than that. It is a massive dismantling of local administration of gun safety. It is no less than that. Everyone keeps mentioning this court decision and what the court mandated is that we have a concealed carry law in place by June 9. That's what was mandated. This goes beyond that. And this study that everyone keeps mentioning about how this is going to make us safer is crap. It was funded by the firearm industry. It is not something that is valid for this discussion. This Bill is massively flawed in a couple of different ways. First of all, when we talk about the Class B misdemeanor, driving drunk is

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a Class A misdemeanor and at no point, even though you've violated this thing three times, you've carried on prohibited property three times, you never actually get to a felony. Your second DUI conviction is a felony. This is a massive, massive overreach. And I find it ironic that I, as the Democrat from Chicago, am talking about overreach, but that's what this is. It is the opposite of small government. If the City of Bloomington or the City of Chicago wants to implement an ordinance that says you can't have a gun shop near a school, they can't do that. Bans on assault weapons, gone. Bans on reporting lost and stolen... or, I'm sorry, affirmatively reporting lost or stolen firearms, gone, if we pass this legislation. There are concerns from the Chamber of Commerce. If I have a gun in my car in the parking lot and I get fired I can now go back out to this private parking lot, get my gun and come in to exact my retribution, or a school. That's what's in this Bill, this Bill that is purported to be more about public safety. And furthermore, what I want to emphasize here is that there is still no regulation of private handgun transfers. If we've got 300 thousand new people who want to apply for these cards, 300 thousand new legal firearm owners, let's say 1 percent, let's say one half of one percent of these folks aren't great folks and are partaking in straw purchasing. We have 1500 new people who can get guns to the gangs in the City of Chicago while we still have no regulation in the way fund private handgun transfers. This Bill is a massive overreach. It is dangerous. It is right in time for summer. The ISP is not ready and the idea, somehow, that the NRA is neutral on this is like saying that there's a fox

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neutral on an appropriation to defund henhouse security. Okay. You didn't put a sign on the door that says come on in, therefore, I still have some concerns. This is an extremely dangerous Bill as presented. I understand what the Sponsor's trying to do. I have an extreme respect as the grandson of grandparents from White County, Tennessee, of the difference between what happens with guns for people who understand them more and what happens in the City of Chicago. This Bill is actually disrespecting of that. This Bill is a massive overreach. It's a massive example of government trying to be bigger than its local units. I strongly urge, strongly urge for this..."

Speaker Lang: "Please complete your remarks, Sir."

Mitchell, C.: "Absolutely. I strongly urge, for the sake of our kids, for the sake of the summer we're about to go into, a 'no' vote. There is a better way to do this. I think my home State Senator, Kwame Raoul, took a better shot at it over in the Senate. We need to do something that respects the differences, the geographic differences, of our state. We can do better than this. I urge a 'no' vote."

Speaker Lang: "Ladies and Gentlemen, the noise level has increased once again. It's Friday. Saturday Session has been canceled. I know we... those of you who are leaving would like to get home. Can we please reduce the noise level in the chamber. There are still 15 people who wish to speak on this legislation. Mr. Mautino for five minutes."

Mautino: "And I'd like to ask for the time of the other 14 people. No. Okay. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I want to commend Representative Phelps,

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Representatives Bost, Sullivan, Reboletti, Representative Bradley and actually, all of the Members of the chamber of the House and the Speaker of the House. Throughout this Session, we have dealt, every Tuesday or Wednesday, with the issue of concealed carry. We have voted on dozens upon dozens of Amendments from both sides of the issue. And if you look through and you actually read the Bill, that working group that got together with Republican staff and Democratic staff, none of the advocate organizations were present. What were present were the Roll Calls of this Body, the things that you had voted on and we put together a list and a Bill which becomes the strongest in the nation, preemptive 'shall' issue Bill. And that's a very important fact. If you look through and see the areas that are... have been asked to be sensitive areas, every one of them is listed within this Bill; those that receive votes, Representative Martwick's language on the fine... on the penalties and what causes you to be denied is in this Bill. We're acting under a court action with a time line. And the goal of the preemption language is very, very specific and it's to provide a uniform administrative procedure and level of protection for what the Seventh Circuit has identified as a fundamental, individual right. And it dictates of those Amendments, they don't vary from county to county, they don't vary from city to city. The U.S. Supreme Court has made it clear that this right applies to every jurisdiction throughout the United States. And that principle, in fact, came from a case based here in Illinois. So, our task, as a Body, was to create a Bill and legislation that met all of the stipulations and created a responsible

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Bill with protections for the general public, protections for private property, property owner's rights. They may deny the ability to carry. And from a practical standpoint, it recognizes that a person who's licensed under this Act, who's traveling across the state, can't reasonably be expected to know the nuances and the pitfalls of 220 separate communities who currently have 109 dif... of those communities, have their own sets of ordinances. They can't be expected to understand each of those and rules to the contrary set up a trap for an unwary licensee, the very person who's taken all of the steps within this legislation. And under Section 90 of the Bill, the person can be assured that the state statutes are the authoritative guide. That was the idea. And that was the charge whether you are pro gun, whether you are gun control, provisions that you have asked for are in the legislation that was crafted by our staffs with the assistance of the Speaker of the House and Heather Wier, Brandon, Mr. Phelps, countless hours of going through the language. Until the Bills were drafted, those advocates, either side, were not shown this legislation. So, it's a compilation of the work of this Body. I would urge your support for it. I think it gives us a fair, strong piece of legislation that takes under consideration all of our concerns in affecting what has to be done by June 9 and therefore, I would ask for your 'aye' votes."

Speaker Lang: "Mr. Verschoore for five minutes."

Verschoore: "I know there'll be a lot of speakers, so I'll... I'm not a very long talker anyhow, but I just wanted to get up and compliment my seatmate. I know he's been working on this

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for 11 years because that's how long I... well, I'm in my eleventh year, and he's done a great job. It's a great Bill. Is it perfect? Absolutely not. There's very few things in the world that's perfect, but I think he's got something that we can live with. I think it's reasonable. And I just wanted to make a point that the person I took... when I came down here, Representative Brunsvold, I know is smiling down today, wherever he's at, that he would be very happy that this is very... getting passed 'cause I know this is near and dear to him. I also wanted to thank Heather Vaught and her assistant, Brandon for all their help and like Representative Mautino said, there was a lot of work that went into this. We... I feel fortunate that I was able to sit in on some of those meetings and I just... to the Bill. I would just ask for a 'yes' vote. Thank you very much."

Speaker Lang: "Mr. Rosenthal for five minutes."

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

Speaker Lang: "The Sponsor yields."

Rosenthal: "And I'll keep this short for you. If I understand right, listening to you, Brandon, you've been working on this for over ten years. Is that correct?"

Phelps: "I have. I have and I know my uncle worked on this with Representative Brunsvold, so I feel like I've been working on this for 30 years."

Rosenthal: "Yeah. And I think everybody knows that it's real easy to work with supporters, but I would tell you that Brandon has worked tirelessly with the opposition to resolve their concerns, to resolve their opposition and to resolve their

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objections. And I think, for that, Brandon, I want to thank you very much."

Phelps: "Thank you, Representative."

Rosenthal: "In your estimation, after having worked on it all this time, do you think this is the best opportunity for Illinois to become the last state with a concealed carry legislation?"

Phelps: "I do. And I can honestly say, without a shadow of a doubt, by listening to both sides of the aisle and by listening to both sides of this argument, we have come up with a Bill that we can be proud of, that meets the parameters of the constitutional ruling and is it perfect for the pro-gun people? Absolutely not. Absolutely not, but you know what, we're the last state to have this and it's ridiculous that we have not given our law-abiding gun owners the ability to have them exercise their Second Amendment rights for way too long. So, yes, I'm proud to bring this Bill up today."

Rosenthal: "Mr. Speaker, to the Bill. I strongly concur with the Sponsor and urge an 'aye' vote."

Speaker Lang: "Mr. Ford for five minutes."

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

Speaker Lang: "The Gentleman yields."

Ford: "Brandon, I want to just say that... I want to thank you for all the hard work you've done on this representing people throughout the 8th District and throughout the state because there are people in the 8th District that's proponents of concealed carry. But I think, as we move forward and debate the issue, I think that... and the 8th District and on the west side and on the south side, we've lost a lot of people and we

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cannot pass up an opportunity to pause during this debate for all the victims and their families that have been... that have fallen victim to gun violence and that still suffer today from lost loved ones to gun violence. So, I would ask that we pause and respect all those people before the debate continues."

Phelps: "Well, and not to interrupt you, Representative, but I would like to call for that right now 'cause I think that's a very good point and we should remember the ones we have lost. I would ask a moment of silence, Mr. Speaker. Thank you."

Ford: "Thank you. Now, Representative Brandon, you've done a great job. I want to tell you the issue has been so important to me that I had three town hall meetings throughout the district, the 8th District that I represent, and we also created a task force for gun violence in this House that I chaired and we completed the task force and we got findings of it. So, I express the strong interest in this topic and in this important issue, but I've never been invited to the table to discuss what I've learned from the task force as the chairman of the task force. So..."

Phelps: "Well, Representative Ford, let me just say this: your task force has helped move the ball down the field on this issue and this very important issue. We appreciate your leadership. This was kind of a deal just getting together on both sides, trying to get some of the attorneys together, trying to come up with some drafting that met the parameters of the constitutional ruling or the judicial ruling. But by no means, let me just say this and let me say it publicly,



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you have been great in this issue. You've helped move the ball down the field and we used a lot of your task force in the negotiations."

Ford: "And so, would you say that the number one reason for passing this Bill right now is because of the ruling?"

Phelps: "Well, that's part of it, Representative Ford, but I... I've got to talk about my constituents. For far too long, they've not been given their constitutional right to be..."

Ford: "Right."

Phelps: "...able to protect themselves and families."

Ford: "So, I see the clock is ticking. I'm sorry. I just want to say that we cannot make that the issue because Benjamin Franklin had a quote that said, 'haste makes waste'. So, the issue of making that the reason that we must complete this task should not be it. Also, I want to ask you, are there penalties attached to the Bill, increased penalties?"

Phelps: "I wouldn't say increased penalties because this is going to be a new program and a new deal for Illinois."

Ford: "No increased penalties, okay."

Phelps: "Because... because we don't have concealed carry per... right now."

Ford: "Okay. Are there certain communities that gun violence is a problem that would... that's been a problem throughout the state more prevalent than other communities?"

Phelps: "I would not know it like you, Representative Ford, to be honest with you just because where I'm from, but..."

Ford: "Well, from the news you would say that in the city..."

Phelps: "Absolutely. Absolutely and Representative Ford, I don't... I... right now, I think the City of Chicago has the strictest

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laws in the country, but yet leading all the shootings and murders right now in this nation."

Ford: "All right. Does this Bill provide any support for those areas?"

Phelps: "It... it would allow people to protect themselves. And Representative Ford, let me say this and I'll give you some more time, but... and I'm not trying to be a smart aleck here, but I want... this was brought up before in debate. We have a different kind of hunting which you do down in southern Illinois. We have people hunting people in Chicago is what I was told, but... Representative Ford, for the record, let me say this. If I knew that deer or that turkey could protect themselves, I probably wouldn't hunt it that much."

Ford: "All right. Are you aw..."

Speaker Lang: "Mr. Ford, will you bring your comments to a close, Sir?"

Ford: "Are you aware that Chicago has reported that they are in need of more police?"

Phelps: "I have just... in articles. That's what I was told."

Ford: "And do you think that increased guns on the streets of Chicago would help with the... help police out or do you think it would increase the need for more police?"

Phelps: "Yeah. We're going... what we're doing here is increasing guns to people that are properly vetted, law-abiding gun owners. We think, and it shows in your task force, and we brought it up many times, anytime there's concealed carry, crime has gone down in other states. You know that 'cause it was your task force."

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Ford: "And you're right. And let me just ask you... police sensitivity. I mean, I just have to tell you I'm concerned about police sensitivity. Is there any police sensitivity training for police as we move forward with a new law like this?"

Phelps: "Yes. We have that aspect in the Bill, Representative."

Ford: "All right. And I'm... just a few more questions. As a peace officer, how many..."

Speaker Lang: "Mr. Ford, you'll need to bring your remarks to a close, Sir."

Ford: "All right. Now, I'm going to bring it to a close. As a peace officer, how many guns will a policeman be able to carry during duty?"

Phelps: "Representative, this Bill does not have that in this... in this drafting right now."

Ford: "All right. I'll just bring it to a close. I want to thank you once again. I still have to listen to the debate. I know that the Bill is not exactly what it should be, but I do know that we need to allow citizens to protect themselves and I really believe that it's important that individuals have a right to stand up to the enemy. And so, I'll continue to listen to the debate and make my decision."

Speaker Lang: "Mr. Kay for five minutes."

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

Speaker Lang: "The Sponsor yields."

Kay: "Brandon, I want to repeat a comment I made yesterday in Judiciary and I would just simply say that you have my deepest thanks for keeping your head on, when a lot of other people did not and I'll remember that. I think a lot of other people

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will, too, whether they're for or against this Bill. Let me... this has been a divisive issue and there's been a lot of debate today and you know that I'm going to support this Bill, but yesterday in committee I didn't get too far with what I thought were some pretty important questions. And so, for legislative intent, I want to ask you several questions."

Phelps: "Okay."

Kay: "Do you understand... And again, I'm not putting you on the spot as a lawyer, because you're not one and I think we've all had this debate about none of us being constitutional authorities. But do you see the Home Rule in any way being trumped or overridden by the U.S. Constitution?"

Phelps: "Yeah. All policy will have to come through the General Assembly, so we think this makes it more constitutional, yes."

Kay: "Well, but indeed, Home Rule does not take precedence over the U.S. Constitution, does it?"

Phelps: "No."

Kay: "And so, the Second Amendment, as we understand it, being as important as all other Amendments in the U.S. Constitution, really doesn't give much effort in trying to speak or talk about preemption."

Phelps: "Right. Pretty much what the Seventh Circuit said. No matter where you lived, no matter what zip code you come from, you should have all equal rights."

Kay: "Very good. So, I think we've kind of cleared the air there on those two pretty, I think, significant issues. Now, I want to drop back again to our conversation yesterday because I think, like everybody in this Body, there is a genuine concern about safety."

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Phelps: "Right."

Kay: "And I'm not going to put words in your mouth, but as I read this Bill I think you have done a great job in trying to cover most, if not all, of the concerns that many of us have. But let me just talk about felons for a moment. Does this... does this Bill have the necessary protections in it so that we don't put the ability for a concealed carry in the hands of felons?"

Phelps: "Absolutely, 100 percent, Representative Kay. And it enhances the ability for local law... for law enforcement on all levels to be able to object to some these people that may try to get a concealed carry license."

Kay: "In fact, let me just say... let me just say this. I didn't have time to do it after committee, but I did have a little bit of time last evening. And if you look at the concealed carry laws in our neighboring states, we have taken a tougher position than any one of these states. You may not be aware of that, a tougher position. Let me ask you a different question that goes to those folks who may not be mentally capable of having a firearm. Do we have the ability to do background checks and if so, how deep can we penetrate information with respect to these individuals?"

Phelps: "We provided levels of all notice of each... all levels about who should be prohibited because, Representative Kay, I think you'll agree with me, we have the strictest mental health language in the country on this because we don't want crazy people that have done these mass shootings to have guns in this state."

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Kay: "And in fact, when I did my limited research last evening I found that to be the case, at least with respect to the states that neighbor us. In fact, it may be two or three times better than what the very best state, that is the state that comes in second, to what we've written in this Bill. We may have the best language, in fact, we do have the best language. So, with respect to the mental disability, deficiency, inability to have a concealed carry, are we infringing on the rights of people who have been prescribed medications, who are simply anxious or have a anxiety disorder? Are we prohibiting them from having a gun?"

Phelps: "Absolutely not. People would have to exhibit threatening behavior. And we... and you're exactly right. This is the strongest language by far and matter of fact, to guarantee that, Representative Kay, as you know, we've got an influx of money coming from this fee to make sure the mental..."

Speaker Lang: "Please continue your comments, Mr. Phelps. And Mr. Kay, please bring your remarks to a close."

Kay: Yeah, I will, Mr. Speaker."

Phelps: "...to make sure that we have an influx of cash and make sure we do the mental health reporting and we do it right."

Kay: "Thank you. To the Bill, Mr. Speaker. This has been a long, long process and it's been one that's divisive and it's taken, I think, time away from things that maybe are somewhat more important to many of us, but we're now under an order to get something done. Representative Phelps has done that. He's done it in a responsible way and I think, in terms of baseball, he has covered... he has covered all of the bases. I

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recommend a strong 'yes' vote for this legislation and we should not walk away today failing."

Speaker Lang: "Mr. Drury for five minutes."

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

Speaker Lang: "The Gentleman yields."

Drury: "Representative, we've... throughout the debate we've heard a lot about this working group that was put together to come up with this Bill. Can you tell us who Members of the working group are or were?"

Phelps: "Well, there were different ones... there was differences that different people coming at once 'cause there were caucuses, but we had Representative Bradley... let me find my list. Representative Sullivan, Representative Reboletti, Bost, Mautino, Costello, Beiser, Verschoore and there was a lot of input from other people. We took input from previous debates on the mental health aspect that we know that you were concerned about and we tried to implement this and we felt like we did in this Bill."

Drury: "Were there any Representatives what would be considered, you know, the core city folks who are... who have stood up against this Bill?"

Phelps: "We... Yeah. It was mainly... No, there were no interest groups involved at all. Matter of fact, I don't think there were some interests groups that even know..."

Drury: "No, not..."

Phelps: "...or knew when we were meeting."

Drury: "I'm sorry. Not interest groups, but Members of our Body. Were there any Members... there's been a lot of Members from

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the City of Chicago today who have spoken out against the Bill. Were any of them on the working group?"

Phelps: "The Speaker was very instrumental in this working group and we took input from a lot of the other Legislators that may not want me to disclose some of the issues they had in the working group and I did not, out of respect to each and every Member that talked to me about this."

Drury: "All right. Thank you. To the Bill."

Phelps: "So, yes. Yes, that was... is the ans... is the ques... answer."

Drury: "To the Bill. There's been a lot of talk about this Bill and I would like to say to the Representative, this is absolutely a move in the right direction. With the Seventh Circuit's opinion, the train left the station on concealed carry, but it is absolutely clear that the train has not reached its final destination. There's a lot of talk about this Bill being a safety Bill. It's going to keep us safe. That is not true. The best example when you think about concealed carry and this idea that if we all have guns we're safer is to take a look at what happens in bank robberies and how bank tellers are instructed to react in a bank robbery. And for a matter of safety, they are instructed not to take out a gun. The guards in the bank are told not to take out a gun. And the reason for that is escalating the situation results in more death. I think the best modern day example of this, you know, that's fiction, but reality is the movie Pulp Fiction. And you have the scene in the restaurant where someone goes to rob the restaurant with a gun and then the hit man is also in the restaurant with a gun and pulls it out and everybody in the restaurant ends up dead. And this is not



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a safety Bill, so we can call it a gun Bill. We can call it a Second Amendment Bill, but we cannot call this a safety Bill because it is not what it is. And we cannot call it a concealed carry Bill because it goes far beyond concealed carry. This absolutely usurps Home Rule and local gun control for all issues. And the Bill takes into... and the Bill understands that it's not appropriate to usurp local control because it actually gives certain places in our state local control like the Cook County Forest Preserve; it is exempted from this Bill. They're preempted from this Bill, but other forest preserves throughout the state are not. The Lake County Forest Preserve will be allowed to have guns. It will be one of the only places in the state where people can carry a concealed weapon and it's also a place where kids play, where kids may be playing with cap guns, where kids may be playing with their toy guns and there may be somebody who thinks he's scared and now you have a bunch of kids who are dead because of a mistake. The penalties in this Bill are too weak. There are at no point for someone who violates this Bill, whether it's one time, three times, a hundred times, will they be charged with a felony. It's just too weak. The Bill claims to allow for revocation of the FOID card and have strict... and have very tight regulations on that, but there's nothing in this that will allow us to verify that a person has given up his guns or her guns once their FOID card is taken away. It doesn't require the recipient of the guns to certify that they have actually received those guns from the person who's no longer allowed to have them. This law enforcement review board, while I'm pleased to see that we're looking to the

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Federal Law Enforcement and former federal law enforcement to be on the review board, I think that's very important, it doesn't allow for any appeal on the law enforcement side if they object or they disagree with the board's decision for them to appeal the decision, but the person who wants to have the gun, they're allowed to appeal the decision. This Bill is not ready. We have not reached the station yet and I encourage a strong 'no' vote on this. Thank you."

Speaker Lang: "Mr. Harris for five minutes."

Harris, D.: "Thank you, Mr. Speaker and I will be brief. Like so many others, I would like to compliment the Representative from Saline County for his work on this as well as the Gentleman from Jackson and Lake and Williamson and Bureau and DuPage Counties for their work. But there's one individual that I don't think has received enough compliment and that's a Gentleman who is not in the chamber today and that's the Speaker of this House who has moved this legislation and allowed this legislation to move forward. So, my compliments to him. I'd like, if I may, to just address the preemption issue. Ladies and Gentlemen, I'm a Home Rule guy. I live in a Home Rule county. I live in a Home Rule municipality. I represent Home Rule municipalities. But let me tell you why I think preemption is important and I'll use an example of my wife who, in talking on her cell phone, was driving into Evanston, which has a prohibition against talking on a cell phone while driving, and she got a \$25 ticket because she didn't know that Evanston prohibits talking on a cell phone, as does the City of Chicago. And you heard the Gentleman earlier talk about there's 190 different communities in the

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State of Illinois that have different regulations regarding handguns. How in the world is anyone supposed to keep track of that? Now, if my wife had a concealed carry permit and drove into Evanston and Evanston had a different rule than Arlington Heights, it's not a \$25 ticket, rather, it's a Class B Felony that could have her in the lockup at Cook County for 180 days or paying a \$1500 fine. And if she does it the second time, she finds herself in the lockup for a year with a \$2500 fine. So, it's rare that I stand up and support preemption; however, I think this is one time where preemption makes sense. I think it's been done in a sensible way and I think the Bill deserves your 'yes' vote."

Speaker Lang: "Representative Cloonen for five minutes."

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

Speaker Lang: "The Sponsor yields."

Cloonen: "Thank you, and just a couple brief comments. I, too, want to thank the Sponsors from this year and from many years in the past to bring this Bill to the floor today. This Bill was done in a very bipartisan effort and that's important to me coming from the middle of the state. We want to make sure that we've included everyone on this and what's also important is that it's a 'shall' issue with total preemption. I can't imagine going to college for four years and a 'may' issue a diploma. After these.. all of the items are met, the 'shall' issue would be in this Bill. Also, I can't imagine living in a state and traveling across a state where the communities may have a different law concerning concealed carry as the Gentleman mentioned before. It makes it difficult for law-abiding citizens to travel across the state not knowing what

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each community may have and we may make criminals out of law-abiding citizens. I also can't imagine going without a Bill at all. We need a Bill. We need it now. And I urge an 'aye' vote."

Speaker Lang: "Mr. Dunkin for five minutes."

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

Speaker Lang: "The Gentleman yields."

Dunkin: "Representative, again, congratulations on your hard work. This has been a conversation we've had for a number of years and I respect you even that much more for putting your due diligence and your hard work in this. Couple questions. Help me understand this preemption. So, if I am a gun shop owner and I wanted to set up near a school in the City of Chicago, would this Bill allow me to do that?"

Phelps: "No. Anything to do with firearms would be brought back to the General Assembly."

Dunkin: "Again, I didn't understand you."

Phelps: "No. Anything to do with firearms would come to the General Assembly."

Dunkin: "Okay. So, could we stop it or could we allow... I mean, do they have the right to set up shop even if they came back here to the General Assembly?"

Phelps: "Okay, that's... okay and I... and I..."

Dunkin: "Okay."

Phelps: "...let me retract that. That's exactly right because I forgot about it. That has nothing to do with this. That is nothing but zoning laws, so that would fall under all the zoning laws, Representative Dunkin."

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Dunkin: "Okay. Well, to that point. So, if the City of Chicago wanted to not allow an individual store to be set up near a particular school, they have no more... it'll be up to the state and not the City of Chicago."

Phelps: "They could still do that."

Dunkin: "So, they would still be able to... so, the City of Chicago would not be able to stop a gun shop from opening next to a grammar school in the City of Chicago, correct?"

Phelps: "Yes, because that's done under zoning laws, not under the concealed carry laws."

Dunkin: "Well, Representative, I'm trying to... I know the city... most municipalities do zoning laws. You're absolutely correct, but if an individual wanted to set up shop near a grammar school that would be allowed, correct? 'Cause the city doesn't have any... have any say in it in terms of preemption, correct?"

Phelps: "Once again, Representative, that's zoning laws. I'm just doing the concealed carry laws."

Dunkin: "Okay. I... Okay. Well I... okay."

Phelps: "Chicago can still control their zoning as the way I'm understanding the..."

Dunkin: "But if they..."

Phelps: "...the process."

Dunkin: "Representative, if they come to the... to us, we can overrule the city or actually they can get their license."

Phelps: "We don't have preemption over their zoning. That's what..."

Dunkin: "No, I'm not..."

Phelps: "I'm not trying to correct you. This is not preemption over zoning. This is preemption just on firearms."

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Dunkin: "You're right. I'm not speaking of zoning. I'm saying a gun shop..."

Phelps: "Representative Dunkin, you know this..."

Dunkin: "Okay."

Phelps: "...you've been... we're classmates too. That is nothing but zoning."

Dunkin: "Okay. All right, next question..."

Phelps: "Honestly. It's... I mean I'm not doing anything with that preempting zoning at all."

Dunkin: "Sure. All right, and so, if I am... let's say someone's been drinking. Not me, but someone's drunk and they... they're caught with a firearm. What is the penalty for that?"

Phelps: "It's a Class B and I know there was a lot of talk about this. You cannot be drunk and carry because if you do, it's a Class B and then eventually they keep doing it and you're... you can never have a concealed carry license at all."

Dunkin: "So, a Class B penalty is equivalent to what?"

Phelps: "Six months in jail and a fine up to a thousand dollars, I believe."

Dunkin: "So, it's either/or."

Phelps: "It could be both. It's the same DUI laws, so it's up to the judge I would say."

Dunkin: "Is... can you tell me if the Illinois Chamber of Commerce is for or against this legislation?"

Phelps: "We have not heard from them, so I cannot speak for them, Representative Dunkin."

Dunkin: "Okay. What does it say on the analysis? I believe they are... Okay. You have no idea if they are supportive?"

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Phelps: "I don't think they weighed in to be honest with you 'cause I..."

Dunkin: "Okay. So, good friend and colleague Phelps, does the City of Chicago really make good sense when they have real objections towards gun legislation, given our unique dynamic?"

Phelps: "Representative Dunkin, that was what some of the Members from the north wanted. They wanted to be able to have all levels of law enforcement object to people that they know present a danger to themselves and society, and I don't want those kind of people to have concealed carry in this state."

Dunkin: "So... but should we allow a unique City of Chicago where we have, unfortunately, a tremendous amount of gun violence. We hear of the deaths, yes, but we also hear of the tremendous amount of individuals who are shot by guns. So... and you've heard of that before, correct?"

Phelps: "Yes."

Dunkin: "You're aware of that?"

Phelps: "I am definitely aware of that and because, you know, a lot of these are just because there's not concealed carry. I think a lot of criminals know that, so they don't fear something in return if they commit these heinous crimes and most of these crimes are done on our public streets, not in the homes."

Dunkin: "So... but the city also has a right and a duty to sort of protect its own citizens and they believe that, you know, this is a problem where they should make decisions as it relates to our unique situation in the City of Chicago. Would you say that's a fair assessment?"

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Phelps: "Well, I don't know if I would say that's a fair assessment because remember, we have a court ruling to do..."

Speaker Lang: "Mr. Phelps, please complete the answer to the question. Mr. Dunkin, please complete your comments."

Dunkin: "Thank you, Mr. Speaker. To the Bill. Again, I commend the Spon..."

Speaker Lang: "Wasn't Mr. Phelps answering your question."

Dunkin: "Sure."

Phelps: "Yeah. I think you're kind of, in all due respect, you're making my argument for me because their strict gun laws are not working. In all due respect, they are not working. You have the strictest gun laws in the country, but lead in shootings and lead in murders. I think it's wrong. Let people protect themselves."

Dunkin: "Is that... is that because we don't have it in Cook County where all the straw purchasing is acquired. And... and you know, and they come downstate as well, straw purchasers. So, shouldn't the Cook County at least have the opportunity to protect the citizens or at least manage its gun situation and/or what's transacted or not given the dynamic and incredibly high crime rate that we're experiencing up there, Representative Phelps?"

Phelps: "That... that's illegal transfer of guns, so those... those are still going to be on the books."

Dunkin: "So, why don't you give the Cook County and the City of Chicago the opportunity to manage itself and its situation given that we have to address a very unique gun shooting, murder victim scenario that far exceeds any section of the state?"



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Speaker Lang: "Mr. Dunkin, can you bring your remarks to a close?"

Phelps: "We're not doing anything with criminal penalties and criminal investigations on that, Representative Dunkin."

Dunkin: "Thank you. To the Bill. Ladies and Gentlemen, this Bill is a major piece of legislation that all of us have a tremendous amount of interest and concern with and which way it goes. We have... those of us who are in the City of Chicago, we have to protect our citizens. We don't have the magic bullet, if you will, to do everything that we'd like to do, but we have to have some level of control over what it is that we need to do to protect our citizens. And we need to give the leaders of law enforcement in the Cook County and the City of Chicago that opportunity. So, I'd like to ask Members to please consider that when they vote 'no' on this Bill. Thank you."

Speaker Lang: "Mr. Martwick for five minutes."

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

Speaker Lang: "The Sponsor yields."

Martwick: "Representative Phelps, again, I want to echo the sentiments of, I think, the entire floor and thank you for your efforts in this matter. I have a couple of questions that I want to run by and maybe do it a little bit differently. You've really, specifically... I mean, I can speak from my own personal experience; you've worked very closely with me. You've been very open-minded and you listened to my concerns and I, personally, really appreciate that. And the reason I say that is is that a few years ago, before I had any intention of running for this, I was just a locally elected official, a dear friend of mine who I have the greatest respect for and

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is the classic law-abiding citizen, said to me that he was going to take a course so that he could get a license to conceal and carry a weapon. And I said, who would let you conceal and carry a weapon? And he looked at me with a straight face and said 49 other states. And I thought what; how could that be possible? So, I started to look into the whole concealed carry issue, being a person who never owned a gun, personally, doesn't really care to and I started to look into this issue and then the Seventh Circuit decision came which said this is something that we need to do. And as I approached this floor trying to be open-minded, as a freshman, there were a couple of things that I were... I was really concerned about and that I wanted to accomplish here. I understood, from my friend who was that perfect law-abiding citizen, the concern that you have and I think that your pro gun colleagues have, pro-Second Amendment colleagues have, that that person, that perfect law-abiding citizen, should not be denied the right. And in this Bill you've crafted the 'shall' issue which says that if you are that perfect law-abiding citizen, if you've never been arrested, if you have no history of mental illness or addiction problems, you will be granted this license. Is that right?"

Phelps: "That is right. We... you saw what 'may' issue did in this General Assembly and on this floor, it only got 31 votes. I think I would have passed mine on the 'shall' issue, but we don't think that a bureaucrat should be able to dictate if a person gets a permit or not, so that's why we went with 'shall'."

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Martwick: "And this concern that you have, again, is for our most law-abiding citizens, right?"

Phelps: "Absolutely."

Martwick: "Okay. My concern, as I came down to this floor, was how do we ensure that this license isn't granted to a person who might do harm with that weapon? And I think that that is the concern of my colleagues from Chicago, is how do we ensure that? And when we first started this debate, I saw some provisions that I thought needed tightening. I brought them to your attention and you attended to them and I think you really created a great Bill here because you took the 'shall' issue and you've really made a unique Bill, I think, amongst all of our country. I know that it is the strictest in terms of the amount of training and the requirements and I think that that is... you've gone a long way to finding that compromise. But you've created a situation with the objection process in adding the Amendment that I proposed that will ensure that people who are not the perfect law-abiding citizen, that we have an opportunity to make sure that they will not do harm with this weapon before we grant them a license. And I... to me that really makes me feel good about this legislation because it has really struck what I think is the perfect compromise. The law-abiding citizen will get his license and the person who is not the perfect law-abiding citizen, we'll have an opportunity to review them and make sure that the public at large is safe. Representative Phelps, this is truly an imperfect Bill. It is a Bill that no one seems to like and for that reason, I think that this is the absolute perfect compromise. I applaud you on your efforts to

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really attend to the concerns of all sides. I applaud you for being open-minded and listening to my concerns about guns winding up in the hands of bad characters and creating provisions that address that issue. I think this is a great Bill. I am proud to support it. And I urge an 'aye' vote."

Speaker Lang: "Representative Lilly for five minutes."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. To the Bill. After listening to the debate, I rise to share my story. While I rarely speak on it, my brother was killed on the streets of Oak Park, Illinois, by a card-carrying citizen. Home from college and working with a local small business man, one evening after a hard day of work and I guess a happy hour moment, this family man, small business owner with a registered gun, shot and killed his summer worker, my brother, point-blank. He expressed his apologies and felt very sorry for what he had done and said if he hadn't had a gun it would not have happened. Unfortunately, this happens far too often. Therefore, my experience is people who carry guns will use them at one point or another. Me and my family were victims then and are victims now. Not one word in this Bill addresses support for the families who are living as victims of acts of crime or violence in our communities. I live with this very sadness and fact that my brother is gone forever with little to no assistance from the state. And now, by ruling, Supreme Court ruling, I believe we put more citizens at risk of these types of crimes. I ask for your strong consideration of a 'no' vote because this Bill is not ready. I thank you for listening and if you would be so kind, have a moment of stance... moment of

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silence for my brother, Darius LeRoy Lilly. Thank you, Mr. Speaker and God bless us all."

Speaker Lang: "Representative Nekritz for five minutes."

Nekritz: "Thank you, Mr. Speaker. To the Bill. There was some discussion earlier on in this debate about the position of the Illinois State Police and I've been in direct contact with Lieutenant Clark with the Illinois State Police who's a constant presence around here. They are, in fact, still opposed to this Bill. They did engage in some discussions with the Sponsor yesterday, but they are concerned about the fiscal impact of the fingerprinting portion of this Bill and if there are insufficient applicants, there will be an impact. They will have to use some funds out of general revenue in order to be able to pay for this, for the fingerprinting that would go on and to remit some dollars to the Federal Government for those fingerprinting opportunities. So, they wanted to me to clarify and asked me to clarify that they are, in fact, still opposed to the Bill and I wanted to get that into the record. And Representative Lilly, my condolences."

Speaker Lang: "Mr. Durkin for five minutes."

Durkin: "Thank you, Mr. Speaker. To the Bill. I don't own a gun. I never will. But it doesn't mean my friends and neighbors in the western suburbs or Chicago or downstate Illinois should not have the ability to do so. This situation we have at hand, it's very simple. A lot of people have discussed what the nature of this opinion means and what are the limitations of the Legislature based on the Shephard vs. Madigan opinion. And it's very clear. There is no Home Rule exemption in this

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opinion. This opinion was based on a Second Amendment United States constitutional analysis not... no exception for the 1970 Home Rule authority based on our State Constitution. We have no other options. We have a clock which is ticking to the first week of June and I would suggest to you as I've said before, inaction will, I believe, cause more chaos and havoc in our streets than not doing anything. Let someone be the first test case, whether it's going to be in Chicago or downstate Illinois for that unlawful use of a weapon when they're picked up, if there's no statute. See what the enforcement and how a court is going to decide on that. I don't think it's worth rolling the dice. Now, I do believe that we need to be consistent with the law as we are a nation of laws and we are a state that follows the law and as law-abiding citizens we need to honor what these courts have stated. And it's very clear what the Shepherd vs. Madigan opinion states. It's an extension of the Heller opinion that was from the Supreme Court a few years back, and that Seventh Circuit opinion specifically states that Heller... that they're going to take Heller beyond the home. They're going to move it back... they're going to move it beyond the home and also into public places 'cause they believe that people have a right to protect themselves not only in the streets, but also in other places within the public domain and just not in their home. So, I think you need to be very consistent. We need to understand it and that's what this Bill does. It's not a perfect Bill, but the fact is this is not a perfect world. There's not perfect human beings. I wish there were some further changes to the Bill, particularly with the alcohol

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section. But the fact is, this is what we have to deal with. I'm in the Minority. I'm going to support the Bill, but people have said time and time again, you know, that we should do more, but the fact is, this should have been handled a long time ago. And I want to make it perfectly clear that for those who are... do not support the issue, the Attorney General has had since December, December 11, to make a decision on whether or not to file for certiorari to reverse this opinion, argue this case before the United States Supreme Court. All of us, within 24 to 48 hours after this opinion came out, knew exactly what this said and they said you have until June... the first week of June to be able to file... pass a law that's consistent with this opinion. The fact is, the Attorney General should have made a decision on this many months ago. And the fact is, we're here debating this issue because the Attorney General has not filed for certiorari and keeps pushing this back. So, folks, those who are in opposition to this Bill, look and see what the Attorney General... ask her why she has not done what her constitutional obligation requires her to do. So, folks, I would ask that we pass this Bill, move it along, let the courts make a decision at some point. But that's why we do have courts, why we have a Legislature. I have never been a very big fan of carry and conceal in the past, but I also respect the law and that's what the Seventh Circuit opinion has asked us to do, not asked us, but has required us to do, because I believe the consequences to do nothing are far greater. I urge an 'aye' vote."

Speaker Lang: "Representative Kelly Burke for five minutes."

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

Speaker Lang: "The Sponsor yields."

Burke, K.: "Representative Phelps, I want to thank you for your work on this issue. As my colleague on the Agriculture Committee, you've been generous with your time. You've taken pains to listen to my concerns and suggestions over the past couple years and it's gratifying to see that some of those suggestions have been incorporated in your Bill. You've crafted a Bill that seems to have a lot of balance in it. I understand the need to preempt local laws concerning concealed carry; however, I think the preemption of all Home Rule governments and their ability.. I think the preemption of all Home Rule government's ability to pass local ordinances on other gun-related issues is a fatal flaw. It's too broad and for that reason I can't support your Bill, but I thank you for your efforts."

Phelps: "Thank you."

Speaker Lang: "Representative Hammond for five minutes."

Hammond: "Thank you, Mr. Speaker. And I will be very brief. To the Bill. I just want to acknowledge not just our colleagues on both sides of the aisle that have worked extremely hard on this issue for many, many years, but I would also like to, particularly, acknowledge Ben Ruddell from our staff and Brandon Nemec from your staff and the incredible amount of work and hours that they have put into this. And thank you both very much."

Speaker Lang: "Mr. Acevedo for five minutes."

Acevedo: "Thank you, Mr. Speaker. To the Bill. Representative Phelps, you know I have the highest respect for you and we



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can agree to disagree sometimes. You know, last time I got up and spoke when we were doing some Amendments on a blog on the Internet, there was someone who said why don't you just shoot him? Or that I'm not a citizen. Well, if that coward is still watching today you can... you know where to find me. I'm here. We talk about the 49 states that have already passed the legislation. I ask you this, Ladies and Gentlemen, if 50 of your friends are standing on a cliff and 49 go over are you going to go over because they did? The City of Chicago is the killing fields. Why? Because there are too many guns. We talk about that Chicago needs more police officers. Ladies and Gentlemen, I will tell you if this Bill passes you're going to need double the amount of police officers out there and you're going to have a lot of blood on your hands of a lot of people who are going to be killed. We talk about flash mobs, that they just passed a Bill where these people are going into Michigan Avenue, these kids are going in there and beating up people and robbing them. All these individuals, most of them are tourists who come to the City of Chicago, they're going to be very frightened and they're going to be packing and they're going to be angry. And the first thing that is going to come to their mind is they're going to pull out that pistol. Someone's going to die. And why? Because we're allowing them to carry weapons. We talk about letting people protect themselves. I'm not against the Second Amendment. We're always talking about the Constitution, the Constitution and Home Rule. If you want to protect yourself, then you know what, folks, let everybody carry guns. Get rid of the police department. Get rid of the FBI. Get rid of the

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Secret Service. Why do we need law enforcement? You want people to protect themselves, let them protect themselves. And when you put too many guns out there, dangerous things are going to happen. When you take away Home Rule exemption, we are going into some dangerous territory, folks, that you ain't going to realize how many more deaths there are going to be, not only in the City of Chicago, but throughout the State of Illinois. Having more guns on the street is not the answer. Carrying a gun on you is not the answer. That's for law enforcement. That's why we have law enforcement. But when you start talking about carrying weapons to protect yourselves and people are going to be afraid not to rob you, how do you know they're not going to have a gun? How do you know one day some kid's going to come up to you and he's going to get into an argument with you, he's going to pull out his cell phone to call the police and you're going to shoot him by accident. Accidents do happen. You see that every day in families poor families where some of the kids get a hold of a handgun or a shotgun and kill their own family member. Imagine that's... those are family members. Imagine what's going to happen when strangers act the same way. I'm not saying that people should not protect themselves. I'm just saying that it's wrong that we are going to allow them to conceal and carry and have these weapons out on the streets. I urge a 'no' vote."

Speaker Lang: "Mr. Welch for five minutes."

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

Speaker Lang: "The Sponsor yields."

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Welch: "I agree with many of the speakers who have commended Representative Phelps and Representative, I think you have done yeoman's work on this issue. I see you in the halls every day trying to make something good happen for the State of Illinois. When I read this Bill though, I do think we still come up a little bit short. I have a few questions for you before I make a couple of comments and I want to first begin, Representative, by asking, would you agree that our state is a diverse state?"

Phelps: "No question. Absolutely."

Welch: "With that as our premise, let me ask you how many African-American Legislators were at the table negotiating this Bill?"

Phelps: "And to that, there were none at the table that I was at, but talking to many personally."

Welch: "At the table, Representative Phelps."

Phelps: "And I..."

Welch: "How many..."

Phelps: "And I answered you."

Welch: "How many Hispanic Legislators were sitting at the table negotiating this Bill?"

Phelps: "To my knowledge, none. But once again, talked too many personally."

Welch: "Have you, Representative, ever been to the Village of Eternal Light, the Village of Maywood?"

Phelps: "Not that I can remember, no."

Welch: "I'd like to invite you and we'll get in a car one day and I'll give you a tour of my entire district, but I'd love to start with Maywood. To the Bill, Mr. Speaker. I don't

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understand how this Bill makes us safer. We have too many guns on the street. I do not understand how this Bill makes us stronger. We have too many guns on the street. Alcohol and guns do not mix, but this Bill allows bars that have 49 percent or less in sales to allow someone to come in with guns. How does that make us safer or stronger? In a community like mine, as we sit here and stand here this morning, a young man is being funeralized right now because of the violence in the streets of Maywood. A young man who was home from college, his best days ahead, shot in the back of the head in a moving car because we have too many guns on the street. How does this Bill make us safer? How does it make our state stronger? Without universal background checks, how does it make us safer? How do we keep these guns out of the hands of gangbangers? How do we control straw purchases? How does this Bill make us safer? How does it make my community, Maywood and Bellwood and Broadview, where gangs are everywhere, safer? Kids are killing each other, but this Bill is not the answer. I'm asking my colleagues to please take a look at this Bill and ask how does it make all of our communities safer. How does it make the great State of Illinois safer? Please, understand that kids are dying every day and putting more guns on the street is not making our communities safer.

I ask you to vote 'no' on Senate Bill 2193?"

Speaker Lang: "Mr. Cavaletto for five minutes."

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

Speaker Lang: "The Sponsor yields."

Cavaletto: "Brandon, does the Farm Bureau sponsor your Bill?"

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Phelps: "I think they came out yesterday and became a proponent of the Bill."

Cavaletto: "The Sheriffs' Association?"

Phelps: "You know what, Representative, I believe they're in support of this. I'm pretty much sure there's a lot of law enforcement groups that are proponents on this Bill."

Cavaletto: "How long would it take for your sheriff to get to your farthest part of your county?"

Phelps: "Oh, probably a little less than an hour."

Cavaletto: "Less than an hour. Are there a lot of counties in southern Illinois with farmers who live miles apart, am I correct?"

Phelps: "Absolutely."

Cavaletto: "You know, would you agree that everybody deserves to protect themselves?"

Phelps: "Representative, that's why I'm here today. And to... just real quick, I don't want to take your time, but to the numerous speakers that have said that more guns on the streets is going to make it more unsafe is absolutely, positively not true because I agree with them. There's too many guns on the streets right now, but the problem is the criminals and the bad guys have them. I'm just trying to make sure that law-abiding gun owners can exercise their Second Amendment right. Some of these speakers are proving my point. We have statistical data. Everywhere there's concealed carry, crime has gone down. And that's what I'm trying to get across."

Cavaletto: "And I agree with you. And I would state that probably one out of thousands of concealed carry people will never draw a gun, will never fire it. Reliable concealed carry

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people will never draw their gun to fire it. Why? Because I think they know the dangers of a gun. But the only thing is, and I want to reiterate this, we have people in the country who walk, and take long walks, and there's a lot of traffic sometimes go down those roads and sometimes never. There are people who've taken walks in the country back home who never did get back home. My daughter-in-law was one of those. She went on a walk one Saturday morning and never returned and left a husband and two small kids. I always said maybe if she would have had a little gun in her pack when she walked maybe today would have been a different story. And as I said before in a couple committees, everybody's got a story to tell. Well, this was not a story. It was a tragedy. It was a tragedy to our family and a bunch of families. She had no defense at all. So, you see, I think it's what you see in this gun. I don't see a gun that should be used to kill people, even though it does and it has in the City of Chicago, but I do see that there's a safety need with people who live out in the country who can protect themselves and their property. And as we say it takes 30 to 40, 50 minutes sometimes for a sheriff to get to your house to protect your property and your loved ones. So, there is violence all over the world and there is in the cities and in the countries. So, you know, I've been a farm owner all my life. My family has. We use them to hunt and sport shoot and I think probably in southern Illinois there's a respect for guns and weapons. And people use them for the proper ways to do it if there's an activity or hunting, but also there are people who use them to kill people, and that's the sad part about it. I just want to say

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that we're the only state in United States that doesn't have it and I think we deserve it. And I feel for the people in Chicago and all the crimes that you have and I hope that one day that those can be solved and that guns can be taken away from the people who are doing evil things. But again, it's not the gun. It's the person behind it that does the damage. And we've heard that for many, many years, but I will..."

Speaker Lang: "Please complete your comments, Sir."

Cavaletto: "Thank you. I would like to close to say that this is a big issue and I think our state needs it. And I think it's not done yet probably and we need some work to do on it, but I want to thank you, Brandon, and everybody else. Thank you very much."

Speaker Lang: "Mr. Reboletti for five minutes."

Reboletti: "Thank you, Mr. Speaker, and to the Bill. Representative Phelps, I'd like to congratulate you on your hard work, but you are one of many Legislators that have worked on this issue for decades. The state has faced the issue for decades because it didn't want to come into constitutional compliance. And if you look around this Body, you'll see the state's diversity; suburbs, city, downstate. That's the beauty of this Body. Today is a historic day in the State of Illinois. We are all a part of it. When I came here I never thought I would debate these types of issues that carry the full faith and credit of the people of the state. When you look about geographic differences and diversity, which we celebrate, we are all under one Constitution which provides us equal protection under the law. So, the people of Chicago should be treated no

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differently than people in Addison or Carbondale, Murphysboro, Peoria. So, what happens next? Let's assume we don't pass this legislation. Let's see what constitutional carry potentially looks like. On June 9, do we want people who are untrained and unqualified carrying firearms around the state? I don't. Constitutional carry could look much more stringent than this Bill. I have no doubt that the nine justices of the Supreme Court could potentially decide that. What if they decide that it's open carry and you can carry anything? Would we be prepared to draft that piece of legislation? I've had constituents on both sides of this issue think that this Bill is wrong. I have some of the most fervent supporters of the Second Amendment tell me do not vote for this Bill. It's wrong. I have those who do not like handguns whatsoever telling me not to vote for this Bill. So, what is the alternative? I'm not sure. We know that we are within a few weeks of the Seventh Circuit telling us what we should do instead of us doing what we're supposed to be doing and what we've been sent down here to do. In committee, one of our Members, an esteemed Member of the Bar, asked about where the County of Cook was, the City of Chicago and all entities within Cook County where they were at. Their silence was deafening. Not one slipped in opposition. That doesn't mean they're not opposed. We preempt Home Rule in this Body all the time. This is the one time that I don't think local control should prevail because we need one standard. I represent the town of Bartlett which is in a couple of counties. Why should residents in the Cook County side be treated differently than those in the DuPage County side?



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There's been people opining about what the working group look like. Let me tell you what the working group look like. We're individuals who have spent weeks and years either in this Body or debating this issue. You've had veterans, you had law enforcement personnel, you had diverse group of Legislators geographically. And I think that we debated about 58 Amendments on this floor which the Speaker and the Members of that working group took into full consideration. Let me thank Brandon Nemec and Ben Ruddell, two able-bodied attorneys who I know spent countless hours into the wee hours of the morning crafting and drafting this. For those of you who are new here, I can tell you that this process was not taken lightly. There was give and take on both sides. Unless we have a Committee of the Whole on every Bill and that every person would be directly heard from, that doesn't mean that this Bill does not consider your intake. This Bill has been debated for 25 years-plus, but what we haven't had is a... is the Seventh Circuit telling us what we should do. I can guarantee you that maybe four years ago, when I was more or less a freshman here, that many people on both sides of the issue..."

Speaker Lang: "Please complete your remarks, Sir."

Reboletti: "Thank you, Speaker. Would have been more than glad to accept the Senate's version of a 'may' issue and carving out different counties and communities, but that train has left the station. There are those who are purists who don't like this Bill for the same reasons the anti-carry folks don't like it. So, at the end of the day, we are faced with this Bill. I don't like every provision. That's what trailer Bills are for. That's what next year is for. That's what other

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General Assemblies are for, but we have to put this infrastructure into place. We need to tell the people of the State of Illinois that we are going to protect their public safety, that we respect the Second Amendment, that we respect the courts and that we're doing our best to implement what we think is the appropriate framework in which to make sure that if we have concealed carry, it is done with restrictions, with appropriate training and appropriate safeguards. I think this Bill does that. I would urge an 'aye' vote. I'd like to thank everybody here who's debated this issue on both sides 'cause I have a profound amount of respect for each one of you because I spend that same amount of time away from my family as you do. And I understand that this may not be popular, but it's the right thing to do. Thank you very much, Mr. Speaker."

Speaker Lang: "Representative Scherer for five minutes."

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

Speaker Lang: "The Sponsor yields."

Scherer: "Just briefly. I would like to thank all of my fellow Legislators for all their hard work, especially Brandon. I know he's put endless hours into this. I think it's time that the State of Illinois decides that we're going to follow the laws and we are going to give citizens the right to bear arms. I simply urge an 'aye' vote."

Speaker Lang: "Representative Monique Davis for five minutes."

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

Speaker Lang: "The Sponsor yields."

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Davis, M.: "Representative, do you have any documentation or any knowledge of the crime rate in states that have conceal and carry, as opposed to the one that does not?"

Phelps: "I do. And Representative, it varies from state to state. So, all I have right now is what Representative Costello has... we have got. And just to give you some quick numbers, on average of states that allow concealed carry, and this was from the FBI numbers. There's been a 22 percent decrease in violent crime rates. There's been a 30 percent decrease in murder rates. There's been a 46 decrease in robberies and there's been a 12 percent decrease in assault rates, aggravated assault. And Representative, I know you agree with me, if this concealed carry Bill in Illinois can drop the crime rate down in this state only 1 percent, then it's worthwhile and we're headed in the right direction."

Davis, M.: "My next question, Representative, is do you think that we should carve out certain areas that mostly exist in the Chicago area; for example, the pre-school, the child care facilities, playground, Cook County, the forest preserve in Cook County only, buildings under the control of any unit of government, libraries, hospitals. In other words, you... you've really carved out all the locations in Chicago that would be prohibited from having a gun. Do you think that'll stand up under constitutional muster?"

Phelps: "You know, I'm not sure, but... and to be respectful to you, and you've been here and you've known these issues for a long time, personally, no I'm not. I don't like a lot of these, but that's why we do negotiations. And I... only thing

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that I know under the court ruling is that Illinois's ban on concealed carry was unconstitutional."

Davis, M.: "And do you think that a person having been arrested five or six times but never convicted should be treated as if he or she were a criminal and convicted. Just yesterday and this past week, a number of people were arrested in Chicago because they were protesting the school closings. They were protesting a lack of a moratorium and a number of them were arrested both black and white. So, do you think it's fair to just deny a person or they'd have to go before a tribunal if they've been arrested and not convicted?"

Phelps: "All we're wanting to do is to make sure they get a closer look by that review board with that trigger mechanism. It doesn't mean they're not going to get that, but they're going to have, what do they say, their fair day in court, so to speak, because most the time protesting or jaywalking or things like that is not a criminal activity or a danger to society or to themselves."

Davis, M.: "So, you have a group that will look into the arrest and see exactly if this were what... if they should've been convicted? Is that what you're going to do?"

Phelps: "Mainly, what they're going to do, and many people wanted this aspect, is that they're going to have this review to see if they're a danger to themselves and to society. That's the people we don't want having concealed carry in our state."

Davis, M.: "And Representative, part of your package states that if you lose your FOID card you could just give your gun to someone else."

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Phelps: "Yeah. There's 48 hours that we put in there and that was agreed upon by the working group and many others that went there. We're just making sure those people don't have their guns anymore."

Davis, M.: "But what proof do you have the person has given the gun away?"

Phelps: "Well, they have to do an application and sign over their make, model and serial number, too and they have to give that to law enforcement."

Davis, M.: "And they have to tell who they gave the gun to?"

Phelps: "Who they gave the gun to, person's address and every make, model and serial number."

Davis, M.: "To the Bill, Mr. Speaker. First, Brandon, I'd like to say I know you've worked very hard throughout the years and many of us have great concerns and reservations about parts of the Bill. However, my concern is exactly what will happen without legislation. Without legislation, according to the United States Supreme Court, every community will have an opportunity to develop its own legislation. As I drive to Springfield, Kankakee will have one law, Monee, Illinois, will have another, Lincoln will have another, and I really won't know what all those different municipalities have chosen or what their law is. The reason I stand in support of this legislat..."

Speaker Lang: "Please complete your remarks."

Davis, M.: "We must do something even if it's flawed, and as a minister said to me this morning, it can always be challenged in court. Thank you, Mr. Speaker."

Speaker Lang: "Representative Wheeler for five minutes."

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

Speaker Lang: "The Sponsor yields."

Wheeler: "Representative Phelps, I thank you for all the work that you did on this Bill. And also like, as a new person, to thank everyone who worked on this Bill and I appreciate the bipartisan cooperation on this Bill. This has been an incredible issue in my district, in 64, and the other issue that I hear a lot about is the long time it takes to get a FOID card which begs my question. If one applies and receives a concealed carry permit, does the applicant also have to get a FOID card or is it included in the concealed carry permit?"

Phelps: "You would have to have a FOID card to be able to try to get a concealed carry license 'cause we want the background checks. And let me say it again. We want the background checks. We want to make sure people are not a danger to society and themselves, but what we're going to move here and what we're going to try to phase in is maybe a carry card, so to speak. It wouldn't be your driver's license. It would be like a state ID, so to speak, that would have different designations on there. Maybe a 'C' for concealed carry. Maybe... if a person doesn't want concealed carry, but they still want to own a gun or they want to hunt or buy ammunition, maybe we would put an 'F' there for FOID."

Wheeler: "All right, very good. I appreciate the efficiency in which this is going to happen. Thank you so much."

Phelps: "Thank you."

Speaker Lang: "Mr. Beiser for five minutes."

Beiser: "Thank you, Mr. Speaker. To the Bill. Brandon, you have my utmost respect for the way you have handled this issue,

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not only this time but in... I know in the nine years that I have been here. You have been open to anyone. Let me just say that again. Anyone that has an idea or a feeling on this issue whether it's pro concealed carry or anti-concealed carry. To think that Brandon Phelps did not include everyone that would have wanted to be included in this discussion is simply wrong. There is no one in this chamber that includes everyone on issues that he is dealing with more than Brandon Phelps. And I really appreciate that and I think that's something that we all can take with us. The fact that we have this Bill, the fact that we have these provisions, I think, is a testament to that fact that he has honored people that feel the way he does and the way that they may not feel on this issue. So, I appreciate that and I think, again, it's something that we can all take with us and learn. But in closing on this, simply put, this Bill honors the constitutional right of law-abiding citizens, while at the same time, it satisfies the reasonableness requirement the court has ordered. And I think it's the right Bill at the right time. Thank you."

Speaker Lang: "Mr. Bradley for five minutes."

Bradley: "Will the Sponsor yield?"

Speaker Lang: "The Sponsor yields."

Bradley: "Representative Phelps, we're under a court order, a court order, to take action, correct?"

Phelps: "Yes."

Bradley: "The court has given us until June 9 to take action with regards to concealed carry."

Phelps: "Yes."

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Bradley: "The court has ordered us to pass regulations with regards to concealed carry."

Phelps: "Absolutely."

Bradley: "This is a 'shall' Bill, correct?"

Phelps: "Correct."

Bradley: "This sets one policy for the State of Illinois consistent throughout the State of Illinois, correct?"

Phelps: "Correct."

Bradley: "This Bill is the result of bipartisan, bigeographic negotiations."

Phelps: "Yes."

Bradley: "This Bill, in your opinion, meets the court mandate... meets the court mandate of taking action on concealed carry."

Phelps: "Right."

Bradley: "Ladies and Gentlemen, I can't remember many debates that have taken place on this floor that have been more thoughtful, have been more heartfelt and have framed this issue more clearly. The sincerity, the motivation of folks on both sides of this issue are without question. I am honored to serve in this chamber with the likes of the people that have gotten up and spoken so eloquently today. The court has ruled. The day is now. The time is now. Concealed carry is coming to Illinois. We are the last state and we are under court order to institute a policy of concealed carry. This Bill is the result of months of efforts to put in place a responsible, a reasonable process for allowing concealed carry in Illinois. I grew up with Brandon Phelps. We played basketball against one another. We went to college together. I am honored and proud to share districts with him. I am



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honored and proud for the way he's conducted himself and the people of the State of Illinois, throughout the State of Illinois, owe him a great debt of gratitude for trying to do the right thing. Nobody's completely happy with this. Neither side... no side got everything they wanted, but that's democracy. That's how it's supposed to work. That's how it works. And now, all the people we represent will get the opportunity, will get the opportunity to have their voices heard when we set the policy of the State of Illinois in a few minutes with our votes reflecting the people that we represent. This is the House of Lincoln. This is the House of Douglas. This is the House of the people of the State of Illinois. Their voices will be heard now. It's not going to be settled somewhere in a back office. It's not going to be settled somewhere out in a hallway. It's going to be settled today, tonight... I'm sorry, today, here, now. The time has come. Concealed carry is coming to Illinois."

Speaker Lang: "Representative Flowers for five minutes."

Flowers: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Lang: "The Gentleman yields."

Flowers: "Representative Phelps, you may have said this earlier, but I have been running in and out the door, so I didn't get the entire debate. So, can you please be patient with me and clarify a few things for me, please. If this Bill... I'm sorry. For those of us who may be against guns, for those of us who represent the City of Chicago, and you read the horror story that has occurred specifically on the south and west side of the City of Chicago, and once again, for those of us who may

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be against guns and against conceal and carry, if this Bill does not pass, what will happen?"

Phelps: "Representative, that... and I got to give a lot of credit to Representative Reboletti, what he said, that's the real problem. The court ruling said Illinois's ban on concealed carry was unconstitutional. We had to get something done by 180 days. Matter of fact, they said... they mandated Illinois to get something done by June 9. That is the whole problem is the uncertainty. I know there's going to be a lot of litigation and it's going to cost our poor areas and towns now. There could be no carry law in some places. There could be constitutional carry in others. I still think that there's too much uncertainty to not pass this today and I don't think anybody wants that. And the Leaders that be from outside this chamber need to realize that... what they're doing to their constituents and the people of the State of Illinois."

Flowers: "So, with the passage of this legislation, quite frankly, because we are under a court order, at least this Body will be in control of what happens in the state as opposed to county by county, city by city. There will be some continuity, some background checks, some rules, some balance."

Phelps: "Absolutely. One state, one law. Everybody will know what's expected of them."

Flowers: "Well, thank you very much, Representative Phelps. I know that this has been very hard, very difficult, but this time we're under the trigger. Thank you very much."

Phelps: "I would..."

Speaker Lang: "Mr. Phelps."

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Phelps: "...just like to say, not only what this means to me, to a lot of you on both sides of this argument, I just want to say thank you for today. Thank you for all the input and one thing, and not I'm going to belabor this 'cause I know we all want to go home, but I got to say, I want to give a heartfelt thanks out to Speaker Madigan because without him these negotiations would never taken place. So, again, I want to thank him and thank each and every one of you. I urge an 'aye' vote and I think we have one more left."

Speaker Lang: "Speaker Madigan to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of the Bill. I wish to begin my remarks by quoting the court order. So, we've heard numerous references to the court order which has brought us here today on this particular issue. The last sentence of the order reads, 'Nevertheless, we order our mandates stayed for 180 days to allow the Illinois Legislature to craft a new, new, gun law that will impose reasonable limitations consistent with the public safety and the Second Amendment to the United States Constitution, as interpreted in this opinion, on the carrying of guns in public'. Elsewhere in the opinion, the court clearly stated that an enactment of this Legislature could also prohibit the carrying of guns in sensitive locations. Now, that's a concise statement. This is what the court said. Others have spoken to the effect of not taking any action before the mandate of the court ends. Today, there are 220 Home Rule units in the State of Illinois. There could be more, pursuant to referendum or population growth. So, the effect of not taking any action would be to open up the possibility

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that there could be up to 220 different sets of rules on the question of carrying weapons so that as people attempted to move about the state, they would contemplate the possibility that there would be a change in the rules up to 220 times. As I said, I plan to support the Bill and I think it's a legitimate question to ask, well, after all of these years fighting against Bills just like this, why have you changed your position? It's very simple. As all of you know, this chamber has taken numerous votes on this question since the beginning of the Session, but on April 17 the anti-gun people were given the opportunity to offer their language of choice before this chamber. On that day, we debated and we voted on the preferred language of the anti-gun people. They needed 61... excuse me, they needed 60 votes to pass their Bill. They got 31. They were about 50 percent away from their target. The next day, we considered language from the pro-gun people and we said to them, give us your language of choice. We'll offer it before the Body and we'll see how the votes come out. That language, which required 71 votes, got 64. It got 64 after I had worked against the Bill and where the proponents of the language felt that at a high water point they had 75 votes. So, they began at 75. I worked against their Bill and brought the number down to 64. Those vote counts are very telling. They tell the reason why I stand before you today changing a position which I have advocated for well over 20 years. But that's what happens in a democracy where there's free and open debate and people are called upon to cast votes in Legislative Bodies because over time, the people that send them to these Legislative Bodies change their

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thinking. And in a democracy, it's not only okay to do that, it's expected that there would be changes in thinking by people and Legislators consistent with how the people of the country feel. There are certain aspects of this Bill that everybody should understand. Number 1) the Bill will require 16 hours of training including range exercises. That will put Illinois number one in the nation in terms of the required hours of training to get a carry permit, number one in the nation. Number 2) the Bill will enhance and clarify the mental health reporting requirements. Let me read to you some precise language. It will require the following: law enforcement people, physicians, mental health professionals, health facilities, nursing homes and school personnel to report any person they determine to pose a clear and present danger to self or others. That's a dramatic improvement in the Illinois statute on mandated reporters of mental health problems. In addition, the proposal adds specific definitions making it easier for required reporters to identify a person ineligible for a card due to a mental or developmentally dis... developmental disability. Next, I'm sure it's been adequately explained. Let me take you through the application process. Those that desire to apply for a card will file an application. There'll be a waiting period. During the waiting period, any law enforcement agency in the State of Illinois, including all of the federal law enforcement agencies can object to the granting of the permit. Where there's an objection and the objection must be for cause, there will be created a licensing board that will adjudicate the application in the objection for the card. The statute will

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provide there'll be seven people on that board. Six will be required to have former federal law enforcement background, former federal judge, former U.S. Attorney, former FBI. Six of the seven must have former federal experience. The last person will be required to have five years as a psychiatrist or a clinical psychologist. The intent here is to raise the level of professionalism on that adjudicatory body and I've argued that's good for both sides in this debate. So, if you're for carry, the decision on who can carry will be made by a group of people with an elevated level of professionalism. And on the other side of the issue, the same argument. Let me make three final points. Number 1) we received this document from the City of Chicago. It contains a request for the inclusion of prohibited locations within the Bill. Every one of these requested items is in the Bill. There was not one request from the City of Chicago for a prohibited location which was not put in the Bill. Number 2) I'm sure it's been stated already, any private property owner can prohibit the carrying of a weapon on their property. Any private property owner including owners of multi-unit residential buildings. And lastly, at my suggestion, part of the \$150 fee will establish a permanent stream of income for the Illinois Police State Crime Lab. Whenever I've had discussions with law enforcement people in Illinois, they'll always tell me that one of their biggest problems is getting a quick response from the State Crime Lab when they're asking for the analysis of evidence and other requests. It's a continuing problem. And so, part of the fee in this Bill will put that lab in a position where it can be far more responsive

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to law enforcement people all over the state than has been the case for many, many years. This is a very difficult Bill. It'll be a very difficult vote for many, many people, but every participant to this debate should be congratulated and commended for their participation and for their contribution to the quality of the debate on this question. This is not something that came to us overnight. We've known about it for years. We've debated it on this floor for about three months. So, everybody knows what the issue is. Everybody should know how they're going to vote and again, thank you to all who have participated. And I think Brandon is still standing. I request an 'aye' vote."

Speaker Lang: "The question is, 'Shall Senate Bill 2193 pass?' Those in favor will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Franks. Mr. Clerk, take the record. On this question, there are 85 voting 'yes', 30 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Speaker Madigan. And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til Sunday, May 26 at the hour 3 p.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House stands adjourned 'til Sunday, May 26 at the hour of 3 p.m."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 3634, offered by Representative Jakobsson, a Bill for an Act concerning revenue. This is referred to the Rules Committee.

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There being no further business, the House Perfunctory Session will stand adjourned."