

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

66th Legislative Day

7/9/2013

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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 98th General Assembly will come to order. Will all the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Shaun Lewis, Capitol Commission, Springfield, Illinois. Shaun.

PASTOR SHAUN LEWIS:

(Prayer by Pastor Shaun Lewis)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Please remain standing, as Senator Jacobs leads us in the Pledge.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Noland, for what purpose do you rise?

SENATOR NOLAND:

Thank you, Mr. President. A point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Noland.

SENATOR NOLAND:

Thank you, sir. You know, the pastor was exactly right. The privilege and the blessing of family is a marvel and I'm quite privileged to have today as my Page, my daughter, Claire. She's age eleven, going on about sixteen, and those of you who have daughters about that age know exactly what I'm saying. Her favorite subject at school is art. And this summer, she has earned a spot on the Girls Softball All-Star Team. Very proud of her. I ask you to give her a warm Senate welcome. Thank you.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Let's all welcome Claire to the Illinois State Senate. Great to have you here today. Patrick Keating with ABC Chicago requests permission to video and audiotape. Seeing no objection, leave is granted. Marty -- Mary Ann Ahern with NBC 5 requests permission to videotape. Seeing no objection, leave is granted. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journals of January 30th and 31st and February 5th, 6th and 7th, 2013.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senators has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journals of Wednesday, June 19th, and Monday, July 8th, 2013.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Mr. Secretary, Communications from the President.

SECRETARY ANDERSON:

I have a letter dated July 8th, 2013.

Dear Mr. Secretary - Pursuant to the provisions of Rule 2-10, I am scheduling a regular Session of the Senate to convene at 11 a.m. on Tuesday, July 9th, 2013.

Sincerely, John J. Cullerton, Senate President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 416, offered by Senator Oberweis and all Members.

Senate Resolution 417, offered by Senator Haine and all Members.

Senate Resolution 418, offered by Senator Haine and all Members.

Senate Resolution 419, offered by Senator Haine and all Members.

Senate Resolution 420, offered by Senator Haine and all Members.

Senate Resolution 421, offered by Senator Link and all Members.

Senate Resolution 422, offered by Senator Oberweis and all Members.

Senate Resolution 423, offered by Senator McCann and all

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Members.

Senate Resolution 424, offered by Senator Althoff and all Members.

Senate Resolution 425, offered by Senator Althoff and all Members.

Senate Resolution 426, offered by Senator Althoff and all Members.

Senate Resolution 427, offered by Senator Althoff and all Members.

Senate Resolution 428, offered by Senator Haine and all Members.

They are all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, the Governor's specific recommendations for change notwithstanding, in the passage of which to -- of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 183.

(Secretary reads title of bill)

I am further instructed to deliver to you the objections of the Governor, which are contained in the attached copy of his letter to the House of Representatives.

Passed the House, July 19th {sic} (9th), 2013, by a three -- three-fifths vote. Timothy D. Mapes, Clerk of the House.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Jay Levine with CBS 2, Mike Brooks with WICS, and James R. Carder with Blueroomstream.com, all request permission to videotape. Seeing no objection, leave is granted. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

For a point of announcement, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your announcement, Senator Silverstein.

SENATOR SILVERSTEIN:

There will be a Democratic Caucus for approximately one hour upon recess in the President's Office.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank you, Mr. President. The Senate Republicans would also like to caucus immediately upon recess for approximately one hour.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Senator Sandoval, for what purpose do you rise?

SENATOR SANDOVAL:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Sandoval.

SENATOR SANDOVAL:

Mr. President and Member {sic} of the Illinois Senate, I'd like to welcome a party that has joined me this afternoon here in our beautiful Capitol. Joining me today is my lovely wife, La Señora Sandoval; my niece from Mexico City, Xiomara Calderon; the junior Senator of the 11th District, Jenny Sandoval, in the

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President's Gallery, and my chief of staff, Joe Garcia. I'd like to give them a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our very special guests please rise? Welcome to the Illinois State Senate. Great to have you here today. Good to see you. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank -- thank you, Mr. President. With the indulgence of the Chamber, I, too, would like to take this opportunity and introduce my summer intern, Michael Smith, from Lake Zurich. He'll be with me all summer. He's actually a University of Chicago student, majoring in chemistry, but for some strange reason, he's fascinated with politics, so we're going to give him an experience. Might we give him a welcome to Springfield, please?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Michael, please rise. Welcome to the Illinois State Senate. Great to have you here today and you're with a great Senator. John -- Marschmitz {sic} (Marschitz) with WBBA-TV {sic} (WBBM-TV) requests permission to videotape. Seeing no objection, leave is granted. Senators Silverstein and Althoff move that the Senate recess for the purpose of Senate Democrat and Republican Caucuses, lasting approximately one hour. Seeing no objection, the motion is granted. The Senate stand -- now stands in recess to the call of the Chair. After the Senate Democrat and Republican Caucuses, the Senate will reconvene for the purposes of Floor action. The Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senate will come to order. Oscar Rayford, KMOV-TV, requests permission to videotape. Terry Martin with the Illinois Channel requests permission to videotape. Michael Teacha {sic} (Tercha), the Chicago Tribune, requests permission to take still photographs. David Mueth with KSDK St. Louis requests permission to videotape. Anna Yee and Doug Smith with WEEK-TV requests permission to photograph and take video. Seth Perlman, Associated Press, requests permission to take photos. Steve Staeger with WCIA requests permission to record video. And Andrew Shofstall with WSIL-TV requests permission to video and audio. Seeing no objection, leave is granted. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 428, offered by Senator Haine and all Members.

Senate Resolution 429, offered by Senator Brady and all Members.

Senate Resolution 430, offered by Senator Brady and all Members.

And Senate Resolution 432, offered by Senator Lightford and all Members.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 431, offered by Senator Manar.  
It is substantive.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Steans, for what purpose do you rise?



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SENATOR STEANS:

Just a point of personal privilege.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please state your point, Senator Steans.

SENATOR STEANS:

I have three interns visiting with me today. I have Dan Huspek, who's a -- going to be a senior at Loyola, and Catherine Ton, who's a junior at Northwestern, and Laura Byrne, who is also a junior at Loyola. Just wanted to give them a welcome, thank them for being here. They're doing great work with me in the district and really appreciate your welcoming them to Springfield.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Will our guests please rise? Welcome to the Illinois Senate. Great to have you here today as guests of Senator Steans. David Spencer with the State Journal-Register requests permission to take still photos. Seeing no objection, leave is granted. Ladies and Gentlemen, can I have your attention? Will all the members of the Committee on Assignments please come to the President's Anteroom immediately? All members of the Committee on Assignments to the Anteroom, President's Anteroom, immediately. The Senate will stand at ease. (at ease) Michael Flannery with FOX 3 -- 32 News requests permission to record the proceedings, please. Mike -- Michael Carrigan {sic} (Garrigan) with WIFR-TV Rockford, CBS, requests permission to videotape. Seeing no objection, leave is granted. Ed Cross, WAND, requests permission to videotape. Seeing no objection, leave is granted. Mr. Secretary, do you have any motions on file?

SECRETARY ANDERSON:

We have a motion with respect to House Bill 183, filed --

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filed by Senator Forby.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, please place the motion on the Calendar. (at ease) The Senate will come to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 2 to House Bill 1453 and Senate Resolution 431.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if you will turn to Supplemental Calendar No. 1. It has been distributed. It is on your desks. You'll go to the bottom motion, Motions in Writing, Override Special {sic} (Specific) Recommendations, House Bills. We have House Bill 183. Senator Forby, you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move that the House -- I move that House Bill 183 do pass, notwithstanding the specific recommendations of the Governor.

Signed by Senator Forby.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Mr. Secretary, let's take House Bill 183 out of the record. Amanda Vinicky with Public Radio requests permission to -- to record and take photos. Seeing no objection, leave is granted. Ladies and Gentlemen, if you'll turn to the regular printed Calendar on page 4 on the Order of House Bills 3rd Reading. We have House Bill 1453. Senator Harmon. President Cullerton is --

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the sponsorship has been changed to President Cullerton. Senator Cullerton -- President Cullerton seeks leave of the Body to return House Bill 1453 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 1453. Mr. Secretary, are there any amendments -- Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by President Cullerton.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton, on Floor Amendment 2.

SENATOR J. CULLERTON:

Thank you, Mr. President, Members of the Senate. I'd like to adopt Amendment No. 2 and debate the bill on 2nd {sic} Reading. It's a trailer bill to the conceal and carry Act.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion on the amendment? Senator Murphy, for what purpose do you rise?

SENATOR MURPHY:

Point of order, Mr. -- Mr. Chairman {sic}. I don't believe the Senate -- the 3rd Reading deadline has been extended on this bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Murphy, we'll get right back to you. We're checking on that. Senator Murphy, to your question, a letter has been filed and the deadline has been extended till December the 7th. Excuse me, Senator Murphy, November the 7th. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

I had my questions answered.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Seeing no further discussion, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment -- or, excuse me -- yeah, the amendment is adopted. Mr. Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR SULLIVAN)

3rd Reading. Now on the Order of 3rd Reading, House Bill 1453. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 1453.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

Thank you, Mr. President, Members of the Senate. As you know, the General Assembly passed a firearm conceal and carry Act, House Bill 183. The Governor vetoed it. The House has overridden it. If this Chamber was to also override it, then it would become the law. The purpose of this bill, which is House Bill 1453, it's drafted as a trailer to the firearm conceal and carry bill if that was to become the law. And it has three provisions. The first one is to clarify that if a place is statutorily prohibited from allowing to have a person bring a -- a firearm onto the premises, that there's no need to have a sign posted saying that; that people are presumed to know the law as to where a prohibited place exists. Secondly, there would be a duty to inform; therefore, if a

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licensee, upon request of a law enforcement officer, is asked if they're carrying a concealed firearm, they would immediately disclose that fact to the law enforcement officer. That was based on testimony and recommendations of the State Police. And finally, we're clarifying that if there's any mental health issues involving anyone who presents a clear and present danger, that they should report that -- that law enforcement and school administrators would report that immediately to the State Police, rather than to the Department of Human Services. That's a correction from the -- the firearm conceal and carry bill that passed. Be happy to answer any questions and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Is there any discussion? Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Two questions of the President, if I may.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator Rose.

SENATOR ROSE:

Mr. President, thank you. First question, and I think it's very simple: The immediate -- the requirement that you immediately answer the question that, yes, you're carrying or, no, you're not, that is at a Terry stop arrest or at a point of an investigative detainment. Correct?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

The answer would be yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Rose.

SENATOR ROSE:

Thank you. And the -- the second question is, there's some confusion about this signage issue that your amendment proposes to change. Could you please expound upon that and -- and kind of give us some -- some better idea of what that will -- will do?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

Yes, there's two categories of property that is covered in the conceal and carry Act. Over a lot of negotiations, we reached an agreement that certain locations are statutorily prohibited from having -- bringing a gun. Let's say a school. Okay? Then there's private property. And for private property, people can make a decision whether or not they want to allow them on. So the way the bill was drafted, probably inadvertently, I think, there was a requirement that there'd be a sign on all parcels of property, even those that are statutorily prohibited. And so it was pointed out in the Governor's amendatory veto, and I think that for a lot of folks, and we got testimony from folks at -- in Executive Committee, that was probably inadvertent. There's no need to have to put a sign up on, say, a school, saying no guns allowed, when it's statutorily prohibited in the first place. And so this just clarifies you don't need a sign on the statutorily prohibited locations. If you have a private -- a retail merchant establishment or whatever, private property, on those you can ban guns if you wish, but you have to put a sign up to indicate that. That's my understanding.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Senator Rose.

SENATOR ROSE:

Just in follow-up on that last point of the two different categories of -- of essentially real property, your amendment only deals with the publicly held property. It leaves the original agreement in place with respect to privately held real property.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

No, there's certain statutorily prohibited parcels that are not publicly owned and you wouldn't need a sign for them either. It's -- it's -- you're presumed to know the law. You're going to be trained to get this permit and you're going to know this is where you can't bring your weapon. There's no need to put a sign up, because they're presumed to know the law.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Rose.

SENATOR ROSE:

Thank you for that correction. Let me restate the question. For the -- your amendment only deals with the statutorily excluded parcels of real property. It does not touch the non-statutorily excluded parcel of real property. That's a better way of phrasing it.

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

Yes.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Van Pelt, for what purpose do

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you rise?

SENATOR VAN PELT:

To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Van Pelt.

SENATOR VAN PELT:

First of all, I want to commend the President for -- for coming with this trailer bill to support some of the issues that have been raised and concerns about House Bill 183. I would like to see it have gone further. I think the home rule is an important part -- should have been an important part of concealed and carry. I'm concerned about that and the number of guns that an individual may be able to carry. So I would like to state that point. But I do stand in support of this trailer bill. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Lightford, for what purpose do you rise?

SENATOR LIGHTFORD:

Thank you, Mr. President. First, to the bill, and then if the sponsor will yield.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator -- Leader Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. I, too, rise in support of the trailer bill, but I would like to acknowledge that I find that it is too restrictive. It's not going far enough for many of us who have challenges in our areas with gunfire. Many youth are being killed at an alarming rate in the Chicago area. I would have liked for five areas to have also been included in this legislation which



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would limit handguns. I think it's unnecessary for an individual to have four, five, six, seven unlimited weapons on them at any time. I believe the magazines should have been lowered to a capacity of ten. Also, think that employers' property should have also been taken into consideration. The issue of alcohol being served at restaurants should have been addressed, absolutely the home rule preemption and the fact of limiting the ammunition. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will. Senator Lightford.

SENATOR LIGHTFORD:

Mr. President, I listed a number of areas that I find that this bill did not include; however, I -- I really appreciate you acknowledging the mental health portion and some of the other areas that we have spoken about. I'd like to know, going forward in the future, is there an opportunity for any of these additional items to be addressed?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

Well, I would just point out that this bill, this trailer bill, has an immediate effective date, requires thirty-six votes. So, therefore, pretty much requires somewhat of a consensus in order to have an immediate effective date. If we were to try to codify some of the other changes that the Governor suggested, it would -- and -- and we fell short of thirty-six votes, but had thirty, the effective date would be delayed till next year. So, I think that gives us some time to see if we can continue to work with the proponents of the bill and see if we can have some more

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improvements to the bill. But, for now, the reason why we've settled on these three items is because I think we have a consensus and we can get thirty-six votes for them.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Leader Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President. I'd just like to continue by saying that I think it's important that our President brought forth a trailer bill to acknowledge some of the changes that needed to come forth to make our conceal and carry law stronger. I do recognize that we're up against time restraints and having conversations that we all can agree on to get us to thirty-six is viable. I just hope that, in the future, we would come back and take a look at some of these areas that I really feel that we really need in many areas of our State to help provide a safe home for our residents, safe environment for our students and our children, safe passage to and from school. And I hope that this isn't the last time that we talk about these issues. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Kotowski, for what purpose do you rise?

SENATOR KOTOWSKI:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Kotowski.

SENATOR KOTOWSKI:

I want to, again, echo some of the sentiments that have been relayed about the Senate President's efforts on this front. I also want to compliment the Governor, Governor Quinn, for his

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leadership on this issue and his efforts to improve this legislation. In particular, I want to highlight the area on mental health reporting. This is very, very important. In 2008, we passed legislation, in the wake of the Virginia Tech shooting, to require more direct reporting to the Department of Human Services about people who presented a clear and present danger to themselves and their community. That information has not been reported in a timely and comprehensive fashion. That's been a challenge in this State. There's hundreds of thousands of records that we do not have about people and their history of mental illness and the danger they present to themselves and their community. This more direct reporting to the State Police, hopefully, will rectify that. In -- in addition, the component that requires disclosure to police officers when someone is pulled over, I think will help address the issue to hopefully prevent type of shootings that happen where law enforcement officers have been shot by concealed handgun permit holders in other states. Hopefully, we can make sure we provide enough protection as possible for law enforcement. Again, I want to just state some of the other comments that -- that were raised. It's important that we move forward and approve this legislation. But I appreciate the Senate President's leadership on this. But, again, I want to comment on the Governor's continued advocacy on this. He's pushed for this issue for over twenty/twenty-five years and his efforts to make sure we improve this bill should be commended. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

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Will the sponsor yield, please, Mr. President?

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for questions. Senator Righter.

SENATOR RIGHTER:

Thank you. Senator Cullerton, I -- I have a question about the signage piece. And I listened to the discussion thus far on the Senate Floor and in committee and it's kind of centered on the notion of whether or not it was intended in -- in -- in House Bill 183 to require public entities or places where firearms are prohibited from posting a sign. The question is, whether -- has been one of legislative intent and you've kind of indicated here that the point is to make it clear that that's not required. Is that -- I mean, is that a fair summation of where you're coming from on this?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

That it should not be required and that it probably wasn't intended to be required when we passed the bill. That's what my belief is.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

Mr. President, why do you think we should not require a clear posting to an individual who may be carrying a concealed firearm that they cannot carry that firearm into a school?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

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I think that there are a great number of prohibited places that we put in the statute. I think that the Governor's amendatory veto recognized that and included in his amendatory veto the fact that we would not need to have a sign at Holy Name Cathedral in Chicago - "no guns permitted"; that every 'L' station and every bus stop that you get on in Chicago, for example, that you wouldn't have to have a sign saying "no guns permitted". I -- I think there was just this concept that the signage had to do where there was discretion for private property owners as to whether or not you - or retail merchants as to whether or not you wanted to allow them. We have, as you know, in the law a -- a concept of when you drive a vehicle, you're presumed to know the rules of the road. You -- you can't use as a defense that you don't know what the law is. So that was the -- it's more of a practical thing that -- there would be enormous number of signs, especially in the rural -- in the -- in the metropolitan area, that -- where -- where it's already against the law. There's no need to reiterate it. This bill has more training for people to get a conceal and carry license than any other state in the nation. Clearly, the people who get these permits will know what's prohibited. So as a practical matter, I think it makes sense.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

And I'm -- I'm glad you used that example about drivers, Mr. President, because we're taught in driver's training and the law is clear with regards to, let's say, school zones, and yet we still post those signs, don't we? And with regards to other regulations, we not only have the regulation in law, but we take steps to make

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sure that the public is aware of those. And we do that because we know that sometimes people forget. They don't keep the however many volumes of the Illinois Compiled Statutes in their car. They don't keep 'em all in their head. And so, in certain sensitive situations, we post signs to remind them of the law. And if those areas - the schools, the church that you referred to - if it's that important to make a matter of law that we not allow someone to carry a gun there, isn't it important enough to remind the person who's now carrying the firearm that they shouldn't carry it into that place? I mean, why is that different than the school situation or -- or -- than in the school zone?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

That's a question. Let me respond. First of all, let me correct what I said earlier, Senator. I was under the impression that churches were a prohibited place. Apparently, they're not. So, apparently, Holy Name Cathedral will have to put a sign up saying you can't get in. But the other prohibited places don't need a sign. There's a lot of training. People will know what the prohibited places are and they will know to follow the law.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Righter.

SENATOR RIGHTER:

To the -- to the amendment, if I might, Mr. President. Thank you very much. Ladies and Gentlemen of the Senate, I -- I think that there is probably going to be broad agreement on the issue of the immediate reporting to a police officer who asks whether or not someone's carrying a firearm, certainly with regards to the

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direct reporting on the mental health issue to the State Police. But we have, as a Body, over time, said there are certain areas in which firearms will not be allowed, and I'm assuming that the reason that we've articulated that is because we think those areas are sensitive enough; that, as a matter of law, regardless of where you live, regardless of who you are, we don't want a gun there. This amendment will not require those places to remind those individuals that they can't carry a firearm there. And there are -- where, example after example in our society, where we train people, like drivers, that this is the law and remember that, and yet we post the signs because they're important enough to remind the person before they enter the school zone that, hey, you're in a school zone, because we know the consequences could be very dire. Yet, this bill suggests that that -- we don't -- are not going to assign that importance to prohibited places under the law, such as schools. I appreciate that that means that some of our local governments and the City of Chicago are going to have to pay a little extra money, but in this society, we pay extra money for the exercise of constitutional rights, and this is no different than that. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Link, for what purpose do you rise?

SENATOR LINK:

To the amendment, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the bill, Senator Link.

SENATOR LINK:

You know, it's pretty clear that concealed carry will be the

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law of the land at the end of this day and it's unfortunate in my mind, but I want to commend President Cullerton for putting these three issues up. I wish we could have put more. And I'm going to elaborate on just one issue. I -- I do a lot of traveling in other states, and when I'm in those states, I watch the local news, I read the local newspapers, and I see that these states that have conceal carry -- you read articles about people either in a bar or coming out of a bar and have a shooting. Well, I got to tell you one thing. It's quite evident, and all of us know, that alcohol and guns don't mix. I know we put this thing in here, fifty percent business. You know, it's okay to go into this restaurant with fifty percent of the business. That -- you can look at a lot of places that have carry-out pizzas, and I can name those types of bars. Ninety percent of their business isn't inside; it's out, to get a pizza. But over fifty percent of their business is food, so they would qualify to let you carry your gun in there. And somebody today said - in committee, I think it was - said, well, all these people are well trained before they get to conceal carry. Well, let me use an analogy. We train and we test people when they get a driver's license and we expect them to be exemplary drivers, but let's look at the statistics of how many DUIs there are and how many people are killed because of DUIs. I don't think that was their intent when they went and got educated, trained to get that driver's license, but yet it happened, because alcohol and driving don't mix. I think we all know that. And what did we do years ago? We lowered the amount that you could actually drink before you got a DUI. But today we're going to say that it's okay to drink some places and have a gun. We know what can happen. If we're going to do this, let's do it right. Let's put the



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prohibitive on alcohol into this bill and make sure that people that are conceal carry are doing it -- Senator Kotowski mentioned the mental health. Well, let's make sure you're mentally competent when you're not drinking to use that gun. I would hope we could go a little bit farther on this and maybe pass a bill that we could at least say Illinois is in line with the rest of the United States. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Senator Oberweis.

SENATOR OBERWEIS:

Mr. President, I -- I may vote in favor of this bill, but I have just one quick question and that's regarding the signage. I understand your point that for those who go through this training, they probably will know where they can carry and where they can't carry. But my question is, for those of us who -- who don't go through the training, who aren't licensed, it seems to me that it's -- it's possible to be -- for me to be confused, as you were, for instance, on whether or not churches were prohibited. So I'm -- I'm not quite sure I understand why we wouldn't ask all places where it's prohibited to have a sign in those places. I just don't understand the reason to not ask for those signs. Can you clarify that for me?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

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SENATOR J. CULLERTON:

Well, perhaps I should start by talking about what is a prohibited place, and I guess it's just that the logistics of this is pretty enormous: All schools, preschools, all government buildings, all courts, all local government buildings, correctional facilities, medical facilities - that would be all the hospitals, public transportation. Bars have to have signs. They're different. They -- because you don't know if it's a bar or a restaurant. Playgrounds, parks, colleges and universities, gaming facilities, stadiums, libraries, airports, amusement parks - I mean, no guns allowed in all of these places. These signs -- it's a big logistical issue. The people who, as you pointed out, are trained know not -- not to bring these weapons there and so it -- it just makes sense to me that since those people are presumed to know the law, the rest of the public will learn where the guns are not allowed, and that's why I proposed the bill. Now, if anybody's confused about where there's guns or not, I'm sure they can inquire and they'll find out this is what's -- they don't have to worry. They can go to a zoo. They can go to the airport. People are not supposed to bring guns there.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis.

SENATOR OBERWEIS:

So, in your opinion, it would improve the safety of all -- or the people of Illinois to not have signs in those places where it's prohibited or it's just too overwhelmingly difficult to put signs in those places where it's prohibited? I mean, it's clear that there have been cases where people have forgot where it's prohibited or where not, including airports.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

Well, I hope I've answered your question.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Oberweis. Okay. Thank you. Further -- our last speaker seeking recognition is Leader Radogno. For what purpose do you rise?

SENATOR RADOGNO:

Thank you, Mr. President. First, a question for the sponsor.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Indicates he will yield for a question. Leader Radogno.

SENATOR RADOGNO:

Senator, on this -- on the signage portion of the bill, which seems to be causing the most consternation to people here, is there anything in this bill that would prohibit somebody from posting a sign in a prohibited place?

PRESIDING OFFICER: (SENATOR SULLIVAN)

President Cullerton.

SENATOR J. CULLERTON:

No, not at all, and that's a good point. If they want to put a sign up, if there's some uncertainty, they could certainly do so.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Leader Radogno.

SENATOR RADOGNO:

It seems to me, another way to look at this issue is that we are allowing for local control. So if a local school board decides they want to remind people that there is -- that it is prohibited,

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they can be free to place that sign. Okay. Thank you for that clarification. In order to save me from rising too many times, I just want to comment on this amendment, as well as then the -- the bill. I -- I support this amendment. I think this is not the last time we're going to be discussing this issue by any means. Obviously, here we are at the ninety-ninth hour adding things to the bill that I expect will be widely supported. I intend to vote for this amendment. I intend to vote for the override as well and I think that that speaks volumes about the good work that this Legislature has done. It's a very, very difficult issue. People genuinely disagree on what -- on how this should be handled. I think the bill passed respects the Second Amendment rights, but it also has very reasonable restrictions in it. We're adding some more right now, tweaking it, and we will continue to do that. So for those people that are still uncomfortable with it, we'll continue to have discussions. But I hope everyone will support not only this amendment, but the override of the bill as well so that we have something reasonable and constitutional in place come tomorrow. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. President Cullerton, to close.

SENATOR J. CULLERTON:

Yes, thank you. And I appreciate the support of Senator Radogno. Again, we know this is a somewhat controversial issue and we were able to, in a very short period of time, come up with a consensus, I hope, on these three items. We're certainly open to any other improvements to the bill as we see how it plays out, if it does become the law. But if it becomes law, it's going to be immediate and, as a result, I wanted to see if we can make these

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corrections today with a supermajority requirement. And hope that we can continue to have dialogue should the bill become the law. So I'd ask for an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. As the President just indicated, as the bill has an immediate effective date, it does require thirty-six votes. Ladies and Gentlemen, the question is, shall House Bill 1453 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 45 voting Aye, 13 voting Nay, 0 voting Present. House Bill 1453, having required the -- having received the required constitutional majority, is declared passed. Ladies and Gentlemen, if we'll -- if you'll turn to the Supplemental Calendar No. 1, the bottom, Motion in Writing to Override Special {sic} (Specific) Recommendations, House Bills, we have House Bill 183. Senator Forby, you wish to proceed? Mr. Secretary, please read the motion.

SECRETARY ANDERSON:

I move that House Bill 183 do pass, notwithstanding the specific recommendations of the Governor.

Signed by Senator Forby.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Forby, to your motion.

SENATOR FORBY:

Thank you. I'm here today just saying I want to override the Governor on 183. We've talked about this bill before. We went over it time after time. We've been in committees a lot of times. Everybody's worked really hard on this bill. And it's -- we're

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going to be the last state in the United States that has a conceal and carry. It's going to be a big day for the State of Illinois. This bill has some issues. Everybody wasn't on board with it, but it's everything we discussed, you come up with. And I just ask for your vote to override.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion? Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

To the gentleman's motion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Raoul.

SENATOR RAOUL:

I rise in support of the motion to override and I do so in sort of a conflicted way, because I support the elements offered by the Governor's amendatory veto. And as you know, Mr. President, I -- I spent most of my spring in a room negotiating this issue of concealed carry, given that we were given a mandate by the Seventh Circuit Court of Appeals to get this job done and, initially, by June 9th. And as the end of the Session crept up on us, the pressure was rising for us to come to some sort of consensus. And like in many matters, when you're engaged in a negotiation, you have to put yourself aside in the interest of the collective good and public safety was always my top priority while I was in the room. Many of the elements in the amendatory veto were elements that were part of a original House Bill 183 of which I was the sponsor. And during the course of negotiations, some of those elements were negotiated away. Now, after the Attorney General was granted a thirty-day stay, the Seventh Circuit has made clear

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that there's no more time. We are here on July 9th, and if the Members of this Chamber have the interest of public safety at their heart, they would vote Yes to override, because if we do not override on today, at 12:01 a.m. tomorrow, July 10th, there are no restrictions upon people who want to carry handguns in the public way - no restrictions on prohibited places, no restrictions on intoxication level. So somebody could walk into a school tomorrow, if we don't override, at three/four times the intoxication level that we -- we -- we bar people from driving, loaded with a handgun with a twenty-bullet magazine in it and they will not be in violation of the law, if we do not override. So let's be clear as to what your choices are. You can cast a political vote and say I want to be on record as supporting these things in the amendatory veto, which I understand. I'm on record as supporting those things, 'cause I introduced them. They're -- those aren't new ideas. But if you cast a No vote on this override - the House has already voted to override - that means there is no -- there's no veto {sic}. Right? That means there's no bill; there's no law restricting how people can carry guns on a public way. So you'll be, in essence, voting for drunk people to be allowed to carry guns in any of these sensitive places. So I really encourage you to think about your vote. We -- as -- as Leader Radogno pointed out on the previous bill, this is an issue that we will -- I commit that I will continue working on this issue. But we are upon a deadline that has been imposed by the Seventh Circuit. Today is the day. There -- you know, unlike the other issue, today is the day of real consequence if we do nothing on this bill. I -- I -- I urge you to vote Yes to override.

PRESIDING OFFICER: (SENATOR SULLIVAN)

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Thank you. Further discussion? Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Collins.

SENATOR COLLINS:

Senator Forby, I know it's a foregone conclusion that you will be successful in the vote to override the Governor's amendatory veto. And I respect my colleague, Senator Kwame Raoul, for the position that he's taken. This is a very difficult decision for me to make and the reason it is a difficult -- and it's not going to be a political decision that I'm making. It's a position that I'm making out of respect for the mothers and the fathers who have lost children to senseless gun violence in my district, but not only in my district, but in this nation. So, to say that -- let me use this analogy for meaning. I think it's a difficult decision and I've been given a Hobson's choice and by that I mean a false choice. I've heard that if we do not vote for -- to override the amendatory veto that we would be - in reference to the Seventh Circuit - we would be allowing for a constitutional carry, open a Wild, Wild West. But let me just say that I support the Governor's amendatory veto for many reasons that have already been enumerated in reference to the alcohol and the carrying of guns, the number of guns, the size of the ammunition clip, that it preempts home rule, and I'm not going to reiterate or rearticulate things that I've ever heard that I -- why I support the amendatory veto, but because it's a choice, a bad choice or no choice - it's a false choice; it's a Hobson's choice between two bad choices -



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one, the bill that I don't like, House Bill 183, because it did not take in consideration commonsense suggestions or guidelines for why we should have conceal and carry, and the other choice that if we don't vote for this, we will have a Wild, Wild West. Well, let me just say, we have already in my district a Wild, Wild West. Seventy-four people were shot over the July 4th weekend. Of those seventy-four shot, twelve were killed or died, children. And let me just say that we already have where individuals come into schools utilizing ammunition clips. NIU is a perfect example. So for me to say that -- for me to vote to override the amendatory veto is not a decision or a position I can take, out of reverence -- or reverence for those mothers and fathers who have lost children to senseless gun violence, and it is already a Wild, Wild West. For that reason, I will be voting No. Thank you.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Further discussion? Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Jacobs.

SENATOR JACOBS:

I just want to start out by saying, you know, I like Pat Quinn. I like Governor Quinn. I think he's a nice man. He's been very helpful to my district and I greatly appreciate that from him, but I think he needs to learn how to count. The fact is, in second grade, I learned from Mrs. Cushy, my teacher, how to -- how to add one plus one to make two. Anyone that doesn't understand that we're going to run this bill over his objection

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doesn't understand government. And what really frustrates me about it is we've called a Special Session to be here. We're spending hundreds of thousand {sic} dollars of taxpayers' money to solve the pension problem and we're here working on the gun bill. We've already passed one bill today on the gun bill, a -- a rider to the bill, a trailer bill. The bill's not even dry. We don't even know what the bill's going to do. I mean, this is getting to be ridiculous. Governor Quinn, this is the Illinois Senate. That's the House. I would appreciate it if you'd work with us in our Session period. We begin in January -- January and end about the end of May. We don't like to come back here and -- and take care of little items. But the one thing that he might do, the Governor might go to the court and ask the court to set a date for us to fix the pension problem, because it seems like date-certain things are the only thing that we react to positively. I just hope for a positive vote on this. You know, Governor Quinn, you're fond of saying the -- the -- the -- what does he like to say? He likes to say, "The will of the people is the law of the land." And the people in Illinois want the right to carry. It is about to become law. I want to salute Senator Gary Forby for doing an excellent job and standing up to a lot of people who said he couldn't get it done. But, most importantly, I just want Governor Quinn to work with the committee and work -- yesterday I listened to the Committee on - and I'm off the subject a little bit here, but give me one second, please - on the pensions and Governor Quinn didn't attend the meeting. It was so important that he held these Special Sessions. It's so important that we have this deadline, but Governor Quinn didn't show up. I want Governor Quinn to get in the game.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Further discussion? Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

To the motion, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

To the motion, Senator Bivins.

SENATOR BIVINS:

Thank you, Mr. President. I rise in support of the gentleman's motion. It's time today that we join forty-nine other states in this country with a conceal and carry bill. You know, the chaos that Senator Raoul was referring to has already actually been occurring. You've had State Attorneys throughout Illinois deciding that they will not prosecute in this interim that the bill was not signed -- it went unsigned. You have law enforcement saying they will arrest. Exactly what you've described, Senator, is exactly what will happen if we don't pass this, if we don't -- we -- vote to override today. This shouldn't have happened. It should have been signed immediately to avoid this. Can you imagine a police officer responding to a call of a man with a gun in a convenience store or a park? They would respond in the way they're supposed to. Maybe it's a citizen thinking they can actually carry legitimately and legally. But imagine the chaos that would -- and I'm surprised someone hasn't been hurt in the interim that this bill has not been signed. So I just rise in support. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Seeing no further discussion, Senator Forby, do you wish to close? Senator Forby.

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SENATOR FORBY:

I just want to thank everybody for their comments and what they said and I know we all -- you know, that's the American way, that everybody's not a Yes and not a No. That what makes the world go around. So today I'm just asking for a Yes vote on the conceal and carry.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, the question is, shall House Bill 183 pass, notwithstanding the veto of the Governor. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 41 voting Aye, 17 voting Nay, 0 voting Present. House Bill 183, having received the required three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Mr. Secretary, Resolutions.

SECRETARY ANDERSON:

Senate Resolution 433, offered by Senators Radogno, Connelly, Dillard and all -- all Members.

It is a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar. Ladies and Gentlemen, if you'll go back to Supplemental Calendar No. 1. Ladies and Gentlemen, if I could have your attention. Can I have your attention? Supplemental Calendar No. 1, Secretary's Desk, Resolutions, we have Senate Resolution 431. Senator Manar, do you wish to proceed? Mr. Secretary, please read the resolution.

SECRETARY ANDERSON:

Senate Resolution 431, offered by Senator Manar.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Manar.

SENATOR MANAR:

Thank you, Mr. President. Senate Resolution 431 establishes the (Advisory) Committee on Education Funding. Everyone recalls the debate we had in this Chamber on May the 14th, where we passed a similar resolution to this one, which was Senate Joint Resolution 32, with a vote of 53 to nothing. And this resolution differs in a small, but substantial way in that this will set up a Committee on Education Funding made up of Members of the Senate, four equally from both the Republican and the Democratic Caucus. I'll be happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Thank you. Is there any discussion on the resolution? Seeing none, as this resolution requires the expenditure of State funds, a roll call vote will be required. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, take the record. On that question, there are 58 voting Aye, 0 voting Nay, 0 voting Present. Senate Resolution 431, having received the required constitutional majority, is declared adopted. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY ANDERSON:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Is there any discussion? Seeing none, the question is, shall

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the resolutions on the Consent Calendar be adopted. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the motion carries. And the resolutions are adopted. Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned pursuant to the adjournment resolution, House Joint Resolution 45.