

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker McPike: "House will come to order. The House will come to order. Members will be in their seats. We'll be led in the prayer this morning by Father Tzortzis from St. Anthony's... St. Anthony's Church in Springfield. Father is a guest of Representative Mike Curran. Will the guests in the balcony please rise to join us in the invocation?"

Father Tzortzis: "In the name of the Father, and of the Son, and of the Holy Spirit. Amen. Glory to Thee, O God, our hope, glory to Thee. O, Heavenly King and comforter, the spirit of truth, who art everywhere present and feelest all things. The treasury of the blessings and giver of life, come and dwell in the hearts and in the mind of all our State Representatives and all loyal officers of our government, of our country. Purify them from every stain and of Thy goodness, save their souls. Amen. Have mercy on us, O God. Accord them Thy great mercy. We pray... hearken and have mercy. Furthermore, we pray for the repose of the soul of our departed brother and State Representative Al Schoeberlein. You are the resurrection and the life and the repose of Thy departed servant, O Christ, our God, and to Thee we ascribe glory, thanksgiving and worship always now and ever and unto age of ages. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Ropp."

Ropp: "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 McPike: "Roll Call for Attendance. Representative Giglio."

Giglio: "Mr. Speaker, yes, Representative Yourell is excused for illness of his wife."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker McPike: "Thank you. 115 Members answering the Roll Call, a quorum is present. Representative Hastert, do you have any excused absences?"

Hastert: "Representative Ewing and Representative Harris, I believe, are excused today."

Speaker McPike: "Thank you. Representative Kulas."

Kulas: "Thank you, Mr. Speaker. You know, yesterday I felt like the spirit of former Speaker Ryan had permeated these chambers, and I felt like a mushroom again. Could you enlighten us today and tell us how long we are going to be at ease this morning?"

Speaker McPike: "Representative Breslin in the Chair."

Speaker Breslin: "Representative Piel, for what reason do you rise? Representative Piel."

Piel: "Thank you, Madam Speaker. Under normal circumstances, we would ask to waive Rule 65 (b), but I have just talked to Representative Kulas, and he thinks we are going to be in the dark all day and there's not going to be anything for the Chair to do. So, I won't ask to waive that rule."

Speaker Breslin: "Representative Christensen, for what reason do you rise?"

Christensen: "Thank you, Madam Speaker. I think we should allow Representative Pangle to introduce his mother and the rest of the senior citizens who are here."

Speaker Breslin: "You are quite right. Representative Pangle."

Pangle: "Thank you. This is my mother and the Bradley - 'Verbonia' Senior Citizens. Thank you very much... and they had a good time last night. I was with them."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker. I just have a question that I would like either you to respond to or to at least find an answer. Yesterday, we were privileged to receive on our desk an envelope which included a number of telephone

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

numbers and costs, and what I was interested to know is what was the total cost involved in being able to secure all of those numbers, in terms of time and effort, and was there any correlation? How much did it cost to get all those numbers, and who actually did it?"

Speaker Breslin: "I haven't checked, Representative, but I believe that the phone company prints those... makes those print-outs and gives them to the state to be paid, just as they do for your own phone bill. So there should have been no extra cost except for the zeroxing to give to the Members so that the Member can check on his own phone... his or her own phone line."

Ropp: "Were we supposed to do anything with that or return them or..."

Speaker Breslin: "Yes, you... you were asked to look over the list and to verify that they were calls made from your phone, just as you would on your own home phone. You would look over the list and verify that they were legitimate phone calls that you had made."

Ropp: "Okay, thank you."

Speaker Breslin: "Representative Friedrich, before you leave."

Friedrich: "Madam Chairman, I would like a recess until 10:15 for the purpose of a Republican Caucus in Room 118."

Speaker Breslin: "Representative, we... were going to try to have a Rules Committee Meeting before that, if that... that was acceptable."

Friedrich: "Alright, what... five minutes?"

Speaker Breslin: "It will take a very short period of time."

Friedrich: "Where?"

Speaker Breslin: "Is that acceptable?"

Friedrich: "Certainly. Where?"

Speaker Breslin: "Representative Matijevec."

Matijevec: "Madam Speaker and Ladies and Gentlemen of the House,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

I would ask leave of the Body that we suspend the appropriate rules so that the Rules Committee can meet in the conference room right back by the Speaker's Office; that we suspend that rule where a Committee cannot meet while we are in Session and also suspend the posting notice rules so that we can hear House Bills 553, House Bills 1330, 1924, 1505 and Senate Bill 1002. These are all Bills that are on the Calendar, and we've got to move with regards to the exempt rules. I ask leave, and I understand this has been cleared."

Speaker Breslin: "The Gentleman has asked leave for the Rules Committee to meet back in the Speaker's conference room. In addition to that, he has asked leave to suspend the posting rules on House Bill 553, House Bill 1330, House Bill 1924, House Bill 1505 and Senate Bill 1002. Is there any objection? And House Bill 1780. House Bill 1780. Hearing no objection, the Gentleman has leave. Now, Representative Friedrich, do you have a Motion to make or a request?"

Friedrich: "May I ask that the House recess from 10:00 until 10:30 for the purpose of a Republican Conference in room 118?"

Speaker Breslin: "That will be fine. The Rules Committee will meet immediately. Then the House will recess un... from 10:00 until 10:30 for the purposes of a Republican Caucus in room 118. Messages from the Senate."

Clerk O'Brien: "Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of Bill of the following title, to wit: House Bill #1780, together with Senate Amendment #2, passed by the Senate as amended November 3, 1983 by three-fifths vote. Kenneth Wright, Secretary.'" "

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Breslin: "Introduction and First Readings."

Clerk O'Brien: "House Bill 2336, Turner, a Bill for an Act to amend an Act concerning fees and salaries. First Reading of the Bill."

Speaker Breslin: "Would all Members of the Rules Committee go back to the Speaker's conference room for a short Rules Committee meeting? We are waiting for a quorum. All Rules Committee Members. All Rules Committee Members please report to the Speaker's conference room for a Rules Committee meeting. Representative Davis, would you report back to the Rules Committee meeting? We are waiting for a quorum. We need you to proceed, please. Thank you. Representative Leverenz, for what reason do you rise?"

Leverenz: "I stand ready to be appointed in the absence of any Member that might be ill."

Speaker Breslin: "Thank you very much, Representative Leverenz. Rules Committee Members are Representative Matijevich, Representative Bowman, Representative Braun, Representative Bullock, Representative Cullerton, Representative Currie, Representative Greiman, Representative Jaffe, Representative McPike, Representative Rea, Representative Friedrich, Representative Ewing, Representative Hallock, Representative Hoffman, Representative Pullen, Representative Vinson. Representative Rea, would you report to the Speaker's conference room for a short Rules Committee meeting, please? Ladies and Gentlemen, we are still waiting for Rules Committee Members to attend the Rules Committee meeting in the Speaker's conference room. Will all Members who are not presently in the conference room, go to the conference room? All Republican Members should go now to Room 118 for the purposes of a Republican Caucus for one half hour. The House stands in recess."

Speaker Matijevich: "The House will come to order. Page two of

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

the Calendar, on the Order of Concurrence, appears House Bill 553, Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wish to concur with House Bill 553, Amendment #1 from the Senate. What Senate Amendment #1 does to House Bill 553, it deletes everything after the enacting clause and becomes the Bill. It provides for townships, fire protection districts and municipalities to levy a nine and a half cent tax for ambulance service. The way the Bill is written it includes population figures and limits the effects of this Bill to the specific cities of Batavia, Geneva and St. Charles and the surrounding unincorporated areas. This tax can only be levied if it is in conjunction with an intergovernmental cooperative agreement, and it provides that the tax authorized by these Sections can only be levied if there is no other tax being levied for ambulance service in any other unit of government. If this Bill passes, it would take effect upon becoming law, and I ask for a favorable vote. Mr. Speaker, could we take this out of the record for a few minutes?"

Speaker Matijevich: "Yes, out of the record. On the Order of Concurrence appears House Bill 1330, Representative Brummer. Is Representative Brummer in the chamber? Out of the record for the moment. Representative McPike, do I understand you can handle this Bill for Representative Brummer or not? If so, we'll... no, alright. Representative Brummer in the chamber? No. Oh, here he comes. Representative Brummer on House Bill 1330."

Brummer: "Thank you, Mr. Speaker, Members of the Assembly. House Bill 1330 as amended deletes everything... the Amendment deletes everything after the enacting clause and addresses a very specific, narrow issue dealing with withholding of state income taxes on dividends and interest. The state

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

withholding law tracks the federal withholding law, then the Federal Congress adopted the withholding on dividends and interest Bill, I think, sponsored by Representative Pierce. The State of Illinois opted out of that withholding for state purposes on state income taxes with regard to dividends and interest. There was a second portion of that, and that is generally referred to as backup withholding, and that refers to instances where taxpayers do not provide a Social Security number or certain other data to the financial institution for appropriate reporting to the IRS. Then the Federal Congress repealed the withholding on dividends and interest, and they moved, to a different Section in the Internal Revenue Code, the backup withholding, with the result that the Bill that was passed here previously, House Bill 400, does not reference the correct Section. If we do not pass 1330, the State of Illinois and the banks and financial institutions in Illinois will still be responsible for state backup withholding. The Department of Revenue indicates that there would be very few dollars involved. It would be an administrative headache and nightmare. The banks do not want to get involved in it. If we pass this Bill, there will not be backup withholding in Illinois, and I would ask for a favorable vote."

Speaker Matijevich: "Representative Brunner has moved that the House concur with Senate Amendment #1 to House Bill 1330.

On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Gentleman yield for a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Vinson: "This is the Bill on withholding of interest and dividends of financial institutions that will, because of the change in federal law, result in no withholding occurring, is that correct?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Brummer: "This Bill will result in no withholding occurring.
That is correct."

Vinson: "And we need this to clean up our previous action."

Brummer: "Well, our previous action was clean, but then,
unfortunately, the Federal Congress changed the... moved
the backup withholding to a different Section in the IRS
Code; and, to be consistent with our previous action, we
need to pass this, yes."

Vinson: "I would support the Gentleman's Bill."

Speaker Matijeich: "The Gentleman from Lake, Representative
Pierce."

Pierce: "Yes, Mr. Speaker, the Sponsor here is correct. When we
passed House Bill 400 in June, which I sponsored, to make
certain there would be no withholding of interest and
dividends on the Illinois income tax and the same for
pensions and deferred compensation, all our Section numbers
were correct. And the Governor, realizing it was a Bill
sponsored by myself and everything was correct in it,
signed it. Unfortunately, about that time, Congress did
eliminate withholding, which was good, on interest and
dividends, but they had a backup provision in case people
didn't file their... in case people wouldn't provide their
Social Security number to the dividend and interest payers.
And that changed the Section numbers and required this
Amendment to 1330 which is before us now. And, therefore,
it really cleans up... not the Bill as it passed, but a
problem that occurred with Congress, I believe, in July,
after we had adjourned and passed this Bill to Governor
Thompson. And, therefore, I move... I'm not going to move,
but I agree with the Sponsor that we should concur in
Senate Amendment #1 to House Bill 1330."

Speaker Matijeich: "Gentleman from Kendall, Representative
Hastert."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Hastert: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. 1330 does bring into conformance the intent of 400, and it's... was brought about because the change in the language changed by the Congress. And so, it is an important piece of legislation. This is a cleanup on an important piece of legislation, and I ask for your favorable support."

Speaker Matijeich: "Representative Brummer to close."

Brummer: "The financial institutions of the State of Illinois want this. The taxpayers of the State of Illinois want this. The Illinois Department of Revenue is in support of this, and I would move for concurrence in Senate Amendment #1."

Speaker Matijeich: "Representative Brummer has moved that the House concur with Senate Amendment #1 to House Bill 1330. Those in favor signify by voting 'aye', opposed by voting 'no'. Final action requires Three-Fifths Majority. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 112 'ayes', no 'nays', and the House does concur with Senate Amendment #1330 (sic - Senate Amendment #1). And this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. We will now revert back to House Bill 553, Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wish to concur with Senate Amendment #1 to House Bill 553. What the Amendment does is to delete everything after the enacting clause and become the Bill. It provides for townships, fire protection districts and municipalities to levy a tax up to nine and a half percent of the equalized assessed valuation for ambulance service. The tax can be levied only pursuant to an intergovernmental cooperation agreement. It also provides that the tax can

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

only be levied if there is no other tax being levied by any other unit of local government for ambulance service. This would become effective immediately. The problem they are having now is... And it's drafted so that it will take care of the specific cities of Batavia, Geneva, St. Charles and surrounding unincorporated areas. Kane County is currently levying a tax for ambulance service in the area that this Amendment affects. The Amendment, in effect, will trade a county tax for a local tax. If there are any questions, I'd be happy to answer them and, otherwise, ask for an affirmative vote."

Speaker Matijevich: "Representative Hensel has moved that the House concur with Senate Amendment #1 to House Bill 553. Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Cullerton: "Representative Hensel, some quick analysis of the Bill reveals that this would... and correct me if I'm wrong, if you had a house that was assessed at \$50,000, being worth \$150,000, this would increase the property taxes by about \$50 a year?"

Hensel: "If that's the amount. If it... Right now the county is assessing that district about a little over eight cents. What they are doing is to transfer it from the county to the municipalities. One of the problems they are having, the district is already set up, and it includes three municipalities, five townships and two counties. Kane County is presently assessing them a little over eight cents. The county could go up to a ten cent tax levy. We're suggesting that it be capped at nine and a half cents. Now, if it..."

Cullerton: "Are you... are you lowering the cap... I mean there's... they already have the authority to do this?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Hensel: "The county does, yes. And they are presently taxing the ambulance district a little over eight cents. Now, what we are trying to do is..."

Cullerton: "You are going to put the cap at nine cents."

Hensel: "Nine and a half cents. The county, if this doesn't go through, the county could assess up to ten cents. We want to remove it from the county tax levy, put it down into the municipalities, and if the municipalities determine that they want to do this through intergovernmental agreement, then the eight cent tax levy will come off of the county and will be put onto the municipality."

Cullerton: "And the three cities involved are Batavia, St. Charles and Geneva?"

Hensel: "That's correct."

Cullerton: "Okay, so really what you are doing is you are lowering what could be taxed, but you know and you anticipate that these counties... or these cities will increase the tax to nine and a half percent."

Hensel: "Not necessarily, no. We're putting a cap on it because we don't want them to go as high as ten cents. But right now it's only eight cents."

Cullerton: "Now... and we're not bothering with any either front door or back door referendum with this tax, are we?"

Hensel: "No, there is no referendum on this one."

Cullerton: "Well, I stand in support of this measure for this Gentleman from West Chicago. What he wants to do here is come down here to the State Legislature and ask us to raise the property taxes back in his home district. And I think... without a referendum, and I think that's an excellent idea, and I applaud him for those efforts."

Speaker Matijevich: "Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Matijevich: "Yes, proceed."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Brummer: "You indicated this was a, in effect, a substitution of tax from county authorization to municipal authorization. Are you, in this legislation then, removing the authority of the county to continue to levy that tax?"

Hensel: "That is correct."

Brummer: "Where... where in the Bill is the authority of the county to levy that tax removed, where in the Amendment?"

Hensel: "Well, it states in there that if this Bill passes, municipalities will have the authority to levy it, and it will... there can be no other tax levied from any other governmental unit."

Brummer: "What... What Section of the Bill are you referring to, what line?"

Hensel: "It would be on line..."

Brummer: "Okay, I just found it. Thank you."

Hensel: "Okay."

Speaker Matijevich: "Representative Hensel to close."

Hensel: "I would just ask for a favorable vote and would appreciate it. Thank you."

Speaker Matijevich: "Representative Hensel has moved that the House concur with Senate Amendment #1 to House Bill 553. Those in favor signify by voting 'aye', those opposed by voting 'no'. Final action, requires Three-Fifths Majority. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 82 'ayes', 22 'nays', 3 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 553. And this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. House Bill 1924, Representative Mays."

Mays: "Thank you... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1924 was an...originally an administration Bill. We've received a release from Bill

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Harris, Commissioner of Banks, to use the Bill for the following purpose, and this purpose has been accomplished in the Senate through Amendments #1 and 2, and I would be asking that we concur in those Amendments. What Senate Amendment #1 does is add a provision to allow banks to establish community service facilities not less than six hundred feet, rather than the current law stating a mile, from main office bank facilities in towns between 40,000 and 50,000, counties of less than 80,000. This is special interest legislation. It applies to the City of Quincy, and I want you to know it up front. The second Amendment establishes an effective date of July 1 of 1984, and I would move we concur in Senate Amendments #1 and 2."

Speaker Matijeich: "Representative Mays has moved that the House concur with Senate Amendments 1 and 2 to House Bill 1924. On that, the Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield for a question?"

Speaker Matijeich: "He indicates he will. Proceed."

Levin: "Wonder if you can tell us what bank it is that you are trying to help out here."

Mays: "There are two co-area banks in the City of Quincy, the Illinois State Bank and the Mercantile Bank. Both have been located in the co-area for a number of years. The city's growth patterns are to the east. We cannot grow to the west with the State of Missouri right across the river from us, to the south with the quarries and to the north with the industry. We are simply trying to allow them to follow their customers to the residential areas."

Levin: "Representative, is it not true that one of these banks has gone ahead and put in such a facility in violation of the existing law, and what you are trying to do here is simply bail them out?"

Mays: "Representative Levin, I appreciate your bringing up that

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

question, because there has been a lot of misinformation on this Bill from its inception. What I would like to do in response is simply say that that facility was purchased prior to the Multi-Bank Holding Company Law allowing the third facility pass.... prior to it's passage. At the time that they purchased that facility, Representative, it was still believed that the six hundred foot limit in the old law would be a... applicable limit. They did not foresee that a mile limit would come down."

Speaker Matijevich: "Representative Mays to close."

Mays: "I would simply ask your concurrence on Senate Amendment #1 and 2. This Bill is very important to the City of Quincy and I know I have beat you on the head for these things in the past. And I would really like to have your 'aye' vote on this."

Speaker Matijevich: "Representative Mays has moved that the House concur with Senate Amendments 1 and 2 to House Bill 1924. Those in favor signify by voting 'aye', those opposed by voting 'no'. Clerk will... the... takes three-fifths vote. Have all voted? Have all voted? Representative Vinson, for what purpose do you rise?"

Vinson: "Mr. Speaker, how many votes does it take to pass this?"

Speaker Matijevich: "71. Oh, according to my Calendar, it needs 71. Well, we understand Amendment 2 adds an immediate effective date, but we are checking into it. Be at ease. 60 votes. You were correct. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 65 'ayes', 29 'nays', 13 answering 'present', and the House does concur with Senate Amendments 1 and 2 to House Bill 1924. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Nonconcurrency on page three of the Calendar appears Senate Bill 189. The Gentleman from Cook,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Representative Greiman."

Greiman: "Thank you, Mr. Speaker. The... Last week we passed out the Amendment to the Illinois Marriage and Dissolution Act (sic - Illinois Marriage and Dissoluticn of Marriage Act), which provided strict... rather strict and narrow rules for so-called 'no fault' divorce. The Senate agreed with the provision as far as... that we put on making it more conservative but didn't agree with the effective... immediate effective date. Accordingly, I would ask that we move to recede... that the House recedes from Senate Amendment 2 which is only the effective date... from House Amendment 2, I'm sorry."

Speaker Matijevich: "Representative Greiman moves that the House recede from House Amendment #2 to Senate Bill 189. On that, the Gentleman from Cook, Representative O'Connell."

O'Connell: "Question... question of the Sponsor, please."

Speaker Matijevich: "Proceed."

O'Connell: "Perhaps I should ask a parliamentary rule first, if it's germane to discuss the Bill itself on the question of receding. Since this is final passage, I would think..."

Speaker Matijevich: "One moment. There's a leave to have filming on this. Everybody look their best. Proceed."

O'Connell: "The Amendment that was adopted, Representative, which requires that there be a six month period of time before the parties can waive the two year requirement, the question I am raising is as to, do the parties have to live separate and apart - that is to say, in a separate domicile - in order to qualify for that six month period of time?"

Greiman: "Well, the statute provides that it be separate and apart. They must live separate and apart for six months. Well, what I should say is they must live separate and apart for two years, if they are to have a divorce based on this particular new ground. They must, however, if they

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

are to come to an agreement, live separate and apart for a period of six months. The phrase "separate and apart" has... will require some judicial interpretation. I would believe that there might be some factual situation where they could be under the same roof, but that would be a factual situation, and I would imagine the courts would be very, very restrictive in examining that, as they are in desertion and cases like that. They might have a different standard than desertion, but clearly, the courts would look very carefully at that factually."

O'Connell: "As one individual Member of this Body, I would submit, in terms of what intent I view that Section, is that they would be separate and apart under separate roofs, and that if the courts were to allow a liberal interpretation of that, I think it would be a circuitous way around the intent of that Amendment, which was that they live, indeed, separate and apart, separate buildings. Thank you."

Speaker Matijevich: "The Gentleman from DeSitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I rise on a point of parliamentary inquiry."

Speaker Matijevich: "Proceed."

Vinson: "I thought that even though our effort to have unrestricted photography and filming was defeated, that it was the Chair's intention to generally have the photography and filming light on, and I wonder why we've departed from that practice. Thank you."

Speaker Matijevich: "You're right, except they needed the lights, and that's what we provided them. And we didn't have the red light on. Thank you. Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, as one who supports this legislation, I

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

think we should clear up legislative intent here. I don't agree with the previous speaker from Cook, and I shouldn't mention a Member in debate, but only for the purpose so we'll know which speaker I'm talking about, with his leave, Representative O'Connell. I don't agree that the intent of this legislation requiring living separate and apart means necessarily under a separate roof. There are instances where a spouse, especially a woman, doesn't have the financial wherewithall to live under a separate roof, and can maintain a separate and apart domicile within the marital residence where she is entitled to live. And that separate domicile within the marital residence should constitute living separate and apart for either the six months or the two year test under this legislation. I think that was the intent when we passed this Bill earlier in October. I think it was the intent of the Senate, and I think it's our intent here today of those who are voting and supporting this Bill. I think courts in the future will look at the facts, and they will look very carefully, of course, if the... both spouses are still under the same roof, and they should look very carefully. But I think there will be instances where they find that people can live and do live separate and apart in the marital residence, and that should constitute living separate and apart for purposes of qualifying under agreement of a six months period or, if they don't agree, for the two year no fault period."

Speaker Matijeich: "Gentleman from Champaign, Representative Johnson."

Johnson: "I know we're... we want to speed the process along, but I think this Bill, in terms of expression of legislative intent, is extremely important, not only for purposes of contested matters, but for purposes of simply creating a

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

base in the record for our respective interpretations of this Bill. And I want to be absolutely clear and the record to show that my 'yes' vote for this Bill and for this Motion is premised on the understanding that a six month... the six month requirement is specifically not required to be physically living apart. That isn't in the language or the intent of the Amendment, and I think to inject that interpretation on it would go contrary to a lot of desirable social objectives. Number one, with individuals living in the same household, there is created the possibility or greater possibility of reconciliation, which is a desirable social objective. And in addition to that, requiring one spouse or the other to move out of the house not only damages the children but, in a good many cases, also has the practical effect of damaging the children and the marriage because of additional financial strains on the household. And I think it ought to be very, very clear, at least from my sense of interpretation and my vote on this matter, that the intent is that this is a common-sense approach. It's a compromise to people who wanted to have the ability of both spouses to waive the... to waive the living apart, and I would have, frankly, been in favor of that. But since it's been amended, I think it's important to show that there are a variety of forms of separation, and it's simply not a necessity that an individual or individuals in a marriage have to live apart and go through the traditional rending of the marriage household to make this provision applicable. So that's my interpretation in voting 'yes' on it."

Speaker Matijevich: "Representative McGann. Gentleman from Cook, Representative McGann."

McGann: "Well, Mr. Chairman (sic - Speaker), it's about time. I'm going back to House Bill 1924. You and the Democratic

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Leadership didn't want to allow me time to explain my vote. My light has been on all during this time. Now, you want to play games, I'll play games also. I have a right to explain my vote on this floor, and especially when a blatant effort to bring about self-interest legislation in this state... it's disgraceful. It's a shame."

Speaker Matijevich: "Representative McGann, I was not aware your light was on, and I'm sorry. The... Representative Brummer."

Brummer: "Yes, I don't know how the courts are ever going to sort out..."

Speaker Matijevich: "One moment, the Minority Leader, Representative Lee Daniels, for what purpose do you rise?"

Daniels: "Representative McGann ought to be recognized. I don't think you should tramp on the rights of a freshman Democrat."

Speaker Matijevich: "You're right, but I did not see his light. Representative Brummer."

Brummer: "Yes, as I was indicating, I'm not sure how the courts are going to sort out the legislative intent with regard to Senate Amendment #1 which contains the language which has been under discussion. The language says if the spouses have lived separate and apart for a continuous period of not less than six months next preceding the entry of the judgement dissolving the marriage as evidenced by testimony of affidavits... testimony or affidavit of the spouses. However, everyone knows on this floor that the reason that this Bill was not called last spring is because that language was not in there. The insertion of that language, presumably, was very important to many Members here on the House floor. Quite frankly, I guess I agree with Representative O'Connell, disagree with Representative Pierce and Johnson, and I don't know if every Member on

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

this House floor is going to state what their intent is so that we can, through some weighing process, determine what the legislative intent is with regard to the passage of that. However, I think the term 'spouses living separate and apart for a continuous period of not less than six months' clearly implies that they have to live in separate residences. They may be under the same roof, but in different apartments under the same roof or something of this nature, but that they not occupy the same marital domicile. I think we would be making a mockery of this provision if we provided that the spouses could live in the same marital domicile and somehow still be deemed to have lived separate and apart for six months. That is not my intention in voting for this Bill. Quite frankly, I intend to vote for this Bill. I voted for the Bill when it came out of Committee. I think we should have a no fault divorce law in Illinois after an appropriate time and after appropriate measures are taken to protect the marriage. I think the six month provision does that, provided it is interpreted as having lived separate and apart in separate residences during that six month period of time."

Speaker Matijevich: "Representative Greiman to close."

Greiman: "Mr. Speaker, the Amendment from which we recede, Amendment #2, merely changes the effective date, and I ask a favorable vote on the Motion to recede from Amendment #2 to Senate Bill 189. Thank you."

Speaker Matijevich: "On Representative Greiman's Motion, the question is, 'Shall the House recede from Senate... House Amendment #2 to Senate Bill 189? Those in favor signify by voting 'aye', opposed by voting 'no'. Takes 60 votes. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 83 'ayes', 19 'nays', 2 answering 'present', and

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

the House does recede from House Amendment #2 to Senate Bill 189. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1206, Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All we want to do here is recede from the House Amendment. It was put on by mistake when I, as the House Sponsor, was not even in the room. I think the Clerk simply made a mistake, and both the Senate Sponsor and I are in agreement that we should recede from this Amendment."

Speaker Matijevich: "Representative Curran moves that the House recede from House Amendment #1 to Senate Bill 1206. Representative Brummer."

Brummer: "Yes, I would like to know what the Amendment was that went on by mistake. Some things aren't mistakes around here that are later purported to be."

Speaker Matijevich: "Representative Curran. Representative Curran."

Curran: "One moment, please, Mr. Speaker. Could we take this out of the record here? We don't have the Bill in front of us."

Speaker Matijevich: "Out of the Record. On the Order of Conference Committee Reports appears House Bill 720, Representative O'Connell. O'Connell, the Gentleman from Cook."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Conference Committee Report on 720 contains some modifications on Senate Bill 521, which we passed out of this Body, the General Assembly, as of yesterday, dealing with prenotification on abortion procedures on minors, unemancipated minors and incompetents. The modifications are a reflection of a recent 7th Circuit

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Court of Appeals case from Indiana entitled Planned Parenthood vs. Pierson and also contains some measures which we... which I felt were necessary to make it as clearly as constitutional as possible and avoid any potential litigation. In other words, as a summary... or I should say an initial comment, 720 contains provisions which I feel will assure that this Body will not be confronted with an unconstitutional piece of legislation. What the provisions do, first of all, there is some discussion in the Pierson case regarding a notice period or delay period of twenty-four hours. In order to assure that that question won't be raised by the Illinois legislation, we have deleted reference to the twenty-four hour waiting period. So there is no longer a waiting period in the... in the measure if adopted. Also, as to the question of incompetence, there was some discussion as to what is the definition of incompetent, what has been done, and the Conference Committee Amendment is to clarify that incompetent is someone who has been adjudicated a disabled person and has had a guardian of the person appointed for her. Also, there was some question in the Pierson case as to accessibility to the courts. This Conference Committee Report makes it clear that the... any county within the state would be accessible as a jurisdictional situs for a judicial discussion on whether the waiver of the parent is in the best interest of the child. So the site of judicial hearing has been broadened to include any county within the state. We also... There was a measure that was put on Senate Bill 521 which dealt with the question of incest. We felt... at that time, an Amendment was added which indicated that if the minor child's mother were to bring an affidavit attesting that the father of the minor child was also the father of the unborn child, that that would be

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

reason enough to allow a waiver of the notification to that incestual parent. We have deleted that Section, and in lieu thereof, we have indicated that in the judicial inquiry, as to whether it would be in the best interest of the minor child to avoid notification to that father, that it is a... it was presumption that it is in the best interest if there is some proof to show that there was an incestual relationship with regards to that issue. We felt that the due process of the parties involved would be upheld with this change. That is a summary of the changes that we have incorporated into the measure which was overridden yesterday and is now law, and I would ask for its favorable adoption."

Speaker Matijeich: "Representative O'Connell has moved that the House do adopt the Conference Committee Report on House Bill 720. On that, the Gentleman from Cook, Representative Bowman, Woods Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, here we go again, trying to amend the Constitution through state legislation. That's really what the Gentleman is trying to do, even though he speaks in terms of trying to make earlier legislation more constitutional. What he really wants to do is to get into court and to develop some convoluted legal theory as to why Roe versus Wade should be nullified. That's what he's trying to do. I think the legislation that he is proposing, despite his assertions, do not do the job. For example, court rulings suggest that other procedural safeguards may be required to fully satisfy constitutional standards. The judicial waiver may require even more specificity. For example, the Missouri law recently upheld in Planned Parenthood versus Ashcroft, specified a finite number of days for decisions on appeals of adverse rulings.

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Section 5 (g) of the new Illinois law provides that an expedited appeal shall be available in accordance with State Supreme Court rules but does not explicitly... but does not explicitly allow for contingencies due to delays or extensions of the proceedings. The judicial alternative to parental notice must assure expedition to provide an effective opportunity for an abortion to be obtained. Without more understanding of the procedures to be implemented by the courts, the assurances are definitely not clear. The scope of this new law also extends to incompetent adults as defined in the Probate Act, and this is an outstanding issue. The significant state interests interfere with abortion decision for this class of persons is clearly less defensible compared to the interest of protecting minors and families. We have, already on the books, legislation providing for guardianship under which persons who are mentally ill or developmentally disabled, or who are otherwise unable to make decisions in their own interests because of addiction to gambling, intoxicants or drugs, may be provided with a guardian. The guardian is the one who should make the relevant interest for the... the incompetent. The state should not be developing legislation such as this. Let me give you an example, Ladies and Gentlemen, of the situations that can occur. In my own district, a couple of blocks from where I once lived, is a nursing home in which a woman with a IQ of 7, who was a young woman, was discovered to be pregnant. Now, Ladies and Gentlemen of the House, she could not possibly have consented to that act that resulted in her pregnancy with an IQ... a single digit IQ. That young woman had a guardian. That young woman's guardian should make the decision in the best interest of that woman. The state should not be passing legislation like this regardless of

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

how well-meaning or well-intentioned it is. I submit to you, Ladies and Gentlemen of the House, this is simply another way of trying to amend the Federal Constitution through state legislation. I believe that we should reject this Bill... this Conference Committee Report."

Speaker Matijevich: "Representative John O'Connell to close."

O'Connell: "Thank you, Mr. Speaker. Just briefly, in response to some of the issues that were raised by the previous speaker. We must be very careful that the Legislative Body does not interfere with the judicial segment of this government. We did provide, as far as we could go, the specificity..."

Speaker Matijevich: "One... One moment, John. I didn't see Representative Ropp's light. Do you want to hold that for a moment? I'm sorry. Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield for a brief question?"

Speaker Matijevich: "He indicates he will."

Ropp: "Representative, in our analysis, as a result of this Conference Committee Report, there is a Section called 'Notice Not in the Best Interest', and it states, 'upon proof in court that the father or guardian is also the father of the fetus to be aborted'. My question is, I was not clear that you could determine who a father was before giving birth or as a result of an abortion. Can you explain to me how that comes about? And I also was of the opinion that you could only prove, in fact, if a person was not the father."

O'Connell: "Yes, thank you, Representative, for the question. The original measure contained an Amendment which said that if the mother of the minor child who was pregnant came into... had a notarized affidavit stating that the father of the unborn child was the father of the minor child, that

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

that would afford sufficient reason for a judicial waiver of the notice to that father. By way of addressing your question as to what proof, the language says 'proof'. It does not say conclusionary proof. In other words, even though the evidence is rebuttable, it should be sufficiently weighed by the court to allow for the judicial waiver. For example, if the mother of the minor child were to go into court with the child and show that... and testify that it was her belief that the father of the unborn was, in fact, the father of the minor child, in my way of thinking, that is proof that could justify a judicial waiver. If, through the course of direct testimony by the minor child, herself, wherein she testified that the father, her father, was the father of the unborn, and she was victimized by an incestuous relationship, that could be weighed through the course of cross examination by the Judge and other evidentiary procedures by the court to determine the credibility of that statement. If the court felt that was sufficient proof, they could then afford the judicial waiver. We cannot specify, obviously, to the proof that you discussed in terms of blood tests, et cetera, et cetera, and still maintain the intent of the law."

Ropp: "Well, as usual, I don't fully understand this particular kind of legal terminology, but I'll take you that you know what you are doing and proceed from there."

Speaker Matijevich: "Representative O'Connell can now close."

O'Connell: "Thank you, Mr. Speaker. There has been sufficient debate on this. I do want to stress that we have done everything we could, taken every case, every recent, up-to-the date legal discussion on this issue to make certain that this measure, which has been passed out recently by this Body, will... will be sustained by any

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

court that considers it on the basis of its constitutionality. I'd ask for its favorable adoption."

Speaker Matijevich: "Representative O'Connell has... on his Motion, the question is, 'Shall the House adopt the Conference Committee Report on House Bill 720?' Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action. Requires three-fifths vote. Have all voted? Have all voted who wish? Clerk will take... Representative Braun, one minute to explain her vote."

Braun: "No, Mr. Speaker. I wanted to ask for a verification, should this reach the requisite number of votes."

Speaker Matijevich: "Alright, Representative... Is that what you wanted, too, Al? Alright. The Lady has asked for a verification. On this question there are 76 'ayes'... Take the record. On this question there are 76 'ayes', 32 'nays', 2 answering 'present'. There's been a request for a verification. Representative O'Connell asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Brookins. Ewing. Harris. Bicks. McAuliffe. Preston. Shaw. And Yourell."

Speaker Matijevich: "Representative Slape asks leave to be verified. Leave. Ryder 'aye'. I've never met you yet. That's why I didn't know who you were. Good to meet you. Slape has already had leave. The Clerk will poll the affirmative vote."

Clerk O'Brien: "Barger. Barnes. Berrios. Birkinbine. Breslin. Brummer. Brunsvold. Capparelli. Christensen. Churchill. Curran. Daniels. Davis. DeJaegher. Deuchler. Didrickson. DiFrma. Domico. Doyle. John Dunn. Ralph Dunn. Ebbesen. Farley. Flinn. Dwight Friedrich. Giglio. Giorgi. Hannig. Hastert. Hawkinson. Hensel. Homer. Johnson. Karpiel. Keane. Koehler. Krska.

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Kulas. Laurino. Leverenz. Matijevich. Mautino.
McCracken. McGann. McMaster. Mulcahey. Nash. Neff.
Oblinger. O'Connell. Olson. Panayotovich. Pangle. B.
Pedersen. W. Peterson. Piel. Pullen. Rea. Richmond.
Ronan. Ropp. Ryder. Saltsman. Slape. Stuffle. Tate.
Terzich. Topinka. Tuerk. Van Cuyne. Vinson. Vitek.
Winchester. Wojcik. Wolf. Younge. Mr. Speaker."

Speaker Matijevich: "Representative Carol Braun on the... on the affirmative questions. What do we start out with, Mr. Clerk? 77 'ayes'. Proceed."

Braun: "Thank you Mr. Speaker... Representative DiPrima."

Speaker Matijevich: "I didn't hear that. DiPrima? Representative DiPrima. Is Representative DiPrima in the chamber? Representative Mays 'aye'. Mays 'aye'. DiPrima is not here. How is he recorded, Mr. Speaker?"

Clerk O'Brien: "Representative DiPrima is recorded as voting 'aye'."

Speaker Matijevich: "Take him off."

Braun: "Representative Capparelli."

Speaker Matijevich: "Capparelli? I don't see him here. How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Take him off."

Braun: "Representative Berrios."

Speaker Matijevich: "Berrios? Representative Berrios in the chamber? I don't see him here. How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Take him off."

Braun: "Representative Churchill."

Speaker Matijevich: "Representative Churchill is in the back."

Braun: "Representative Brunsvold."

Speaker Matijevich: "Brunsvold is right... right near you. Turn around. Proceed."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Braun: "Representative Domico."

Speaker Matijevich: "Domico. Representative Domico. I don't see him here. How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Take him off."

Braun: "Representative Flinn."

Speaker Matijevich: "Representative Klemm?"

Braun: "Flinn."

Speaker Matijevich: "Oh, Flinn. Representative Flinn. Monroe Flinn. There he is in the back."

Braun: "Representative McAuliffe."

Speaker Matijevich: "McAuliffe. How is he recorded?"

Braun: "Not voting, I'm sorry."

Speaker Matijevich: "Not voting. Proceed."

Braun: "Representative Terzich."

Speaker Matijevich: "Terzich is over here in the center."

Braun: "Oh, sorry. Representative Leverenz."

Speaker Matijevich: "Representative Leverenz. Is Representative Leverenz on the floor? There he is way in the back, just tilted."

Braun: "Representative Winchester."

Speaker Matijevich: "Representative Winchester. Representative Winchester on the floor? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Take him off."

Braun: "Representative Barger."

Speaker Matijevich: "Representative Barger, right over in the front."

Braun: "Oh, sorry. Representative... Okay, no further."

Speaker Matijevich: "No further questions. What's the count, Mr. Speaker (sic - Clerk)? 73 'ayes', 30 'nos', 2 'present'... Yes, Carol."

Braun: "Mr. Speaker, I'm sorry. I missed a couple of names."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Representative Rea."

Speaker Matijevich: "He's here."

Braun: "Representative... Yes, okay. No further, Mr. Speaker. Thank you."

Speaker Matijevich: "73 'ayes', and 30 'nos', and the House... 2 'present', and the House does adopt the Conference Committee Report on House Bill 720, and this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. Senate Bill 1002, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move that we accept the Conference Committee Report on Senate Bill 1002. The Bill was used as a vehicle. It now has four wheels. The first provision corrects the problems with the Prairie State 2000 Fund Act that is now Public Act 83-0650..."

Speaker Matijevich: "One moment. Representative Braun in the Chair."

Leverenz: "Congratulations, Representative Braun. Leave to handle the appropriate rule. Leave being granted, thank you, Mr. (sic - Madam) Speaker. The first provision of Senate Bill 1002 scraps the original program of an issuance of capital stock in the Fund. And it would then provide, under the new language, that employers could make contributions and also, if the General Assembly chose to, it would be authorized to make appropriations to the Fund, if it seems to fit. The second portion does straighten out the membership of a board. The governing board originally provided for six public members. There will now be four public members, and the other two members will be the Director of Commerce and Community Affairs and the Director of the Department of Labor. The next provision added that we would be allowing the Fund to make agreements,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

cooperative agreements with the Illinois Bureau of Employment Security. And the last wheel, I guess, is the most important. It deletes obsolete language in the Act. I would now move for the acceptance of the Conference Committee Report #1 on Senate Bill 1002."

Speaker Braun: "The Gentleman has moved for adoption of the Conference Committee Report on Senate Bill 1002. Is there any discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Although I did not vote for the Bill originally and did not sign the Conference Committee Report, having now had an opportunity to talk with some of the principals involved, particularly people from the Governor's Office, I do want to rise and say that this Conference Committee has been worked out with the Governor's Office. And for that reason, Madam Speaker, and Ladies and Gentlemen of the House, I'm going to support the Conference Committee Report, even though I did not support the Bill as it was originally drafted."

Speaker Braun: "Is there further discussion? The Representative from Peoria, Representative Tuerk."

Tuerk: "Well, Madam Speaker and Members of the House, I suppose you could take the attitude that if you supported the Bill originally, you can support this Conference Committee Report, because I think it is an improved version over the original Bill. I, like the previous speaker, did not support the Bill in its original concept for the simple reason that, I guess, the kindest thing I can say about the program is it's cosmetic at best. Many of the things that this program purports to do are already being done. I think it is superfluous. I don't know where the money is coming from. They are hoping to get federal funds, but

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

there is no real commitment to that. You be the judge. I plan to vote 'no'."

Speaker Braun: "Is there further discussion? There being none, Representative Leverenz to close."

Leverenz: "Thank you, Madam Speaker. Senate Bill 1002 as now drafted includes all of the recommendations of the Governor and has been also approved by the original Sponsor of that which is now law, that is the Fund. These corrections will make a good program better. I would ask for your 'aye' vote to accept the First Conference Committee Report on Senate Bill 1002."

Speaker Braun: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 1002?' This is final action. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. 71 votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 84 voting 'aye', 24 voting 'no', 1 voting 'present'. House Bill 1002, having received the Constitutional Majority, is hereby declared... declared... Senate Bill, I'm sorry. Senate Bill 1002, having received the Constitutional Majority, is hereby declared passed. On the Order of Nonconcurrency... On the Order of Nonconcurrency appears Senate Bill 1206, Representative Watson. Representative Curran."

Curran: "Thank you, Madam Speaker. I move to recede from House Amendment 1 on Senate Bill 1206. It was an Amendment which was put on by mistake by the clerk in that Committee on that particular day. The Amendment is attributed to Representative Karpel. I think she agrees that it should not be on this Bill, and I defer to her at this point."

Speaker Braun: "The Gentleman has moved that the House recede. Is there any discussion? The Chair recognizes the Lady

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

from DuPage, Representative Karpziel."

Karpziel: "Thank you, Madam Speaker. Representative Curran is correct. The Amendment that was put on in Committee is not the Amendment that the clerk recorded as being put on in Committee. So it is... is totally a mixup in the Committee and the clerk. It was a bad day, I guess. We had a lot of Bills, and the Amendment that I had sponsored and was, in fact, adopted by the Committee is not the one that was recorded as being put on. There was another Amendment that Representative Curran had, which we did not even vote on, but somehow or other, it was picked up by the clerk and put on the Bill instead of the proper Amendment. So rather than go into trying to put the proper Amendment on it, et cetera, at this time, we're just merely receding from this Amendment."

Speaker Braun: "Is there further discussion? There being none, the Chair recognizes Representative Curran to close."

Curran: "This is simply a clerical error, and we are correcting that clerical error by receding from House Amendment #1. I ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved that the House recede from House Amendment #1 to Senate Bill 1206. All those in favor vote 'aye', opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no', none voting 'present', and the House does recede from House Amendment #1 to Senate Bill 1206. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Matijevec in the Chair."

Speaker Matijevec: "Page four of the Calendar appears Reduction and Item Veto Motions. Senate Bill 378, the Gentleman from Cook, Representative Woods Bowman."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This reduction veto Motion pertains to a... approximately 63,000 dollars appropriation to the Illinois Children's School and Rehabilitation Center located in Chicago. This school serves severely orthopedically disabled students between the ages of five and 21. It is similar to the kind of facility that we provide for the deaf students and the blind students at Jacksonville, but this one serves primarily orthopedically disabled students. You may recall we overrode the Governor's reduction vetoes for the schools in Jacksonville. I believe it is only fitting and proper and fair that we override the reduction veto for the orthopedically handicapped students who are served by the Rehabilitation Center in Chicago. This money would make available to the students additional physical therapy services. As you can well appreciate, if a child is severely orthopedically handicapped, physical therapy is an absolutely necessity. At the present time, these children - and there are some 80 children in this facility - have available to them only one physical therapist, one physical therapist for 80 students. I believe that this money is needed to provide additional physical therapists so that these children may all have an equal opportunity to develop and become productive citizens. I would say in conclusion that ... that this reduction veto override is necessary to make the Conference Committee Report on Senate Bill 541, which we'll be considering later and which is agreed to, to make that Conference Committee Report technically accurate. At the present time, if we fail to override here, that Conference Committee Report will be defective, and I think that we should simply override and then proceed later today to the consideration of the Conference Committee Report on 541 which addresses the same

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

issue."

Speaker Matijevich: "Representative Bowman has moved that the House restore, on page 31, line 22 Senate Bill 378, to its original amount. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Gentleman from Cook suggests that we should support this particular override for aesthetical purposes, and it's not really necessary. We don't have to support it for aesthetical purposes. We can go on and do all our work the rest of this day; and, if we reject this override, it won't hurt a thing. And for those reasons and for the additional factor that I understand we can save 100, 150,000 dollars by rejecting this veto, I think we ought to reject it and vote 'no' on his Motion."

Speaker Matijevich: "Representative Levin."

Levin: "I urge the override of the Governor's reduction veto. There are few programs that are as cost-effective as this program is in terms of the taxpayers of the State of Illinois. This program puts handicapped children back on their feet. It allows them to be able to be independent, not be dependent on the state, not be dependent on the Federal Government. And so it's an excellent expenditure with a very minimal amount of money that turns people who would otherwise be dependent into independent citizens."

Speaker Matijevich: "Representative Alexander."

Alexander: "Thank you, Mr. Speaker. I'd like to impress upon this House and my colleagues to support the position of the Sponsor on this Bill. I have had the opportunity at Christmas time to be a participant in the program there for those handicapped, severely handicapped children. I have a series of pictures showing their handicaps and those of us in the community who have gone with voluntary services to

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

serve them and to make their joy a little bit better. If you've never visited a rehabilitation center of this nature, you do not know the need that they really have. This very heartrendering... that's kind of a situation. These are children who cannot help themselves and who we should be about the business, as Legislators, providing for them, some of the things that they have been denied, and I ask your support in this veto override."

Speaker Matijevich: "Representative Hallock."

Hallock: "I move the previous question."

Speaker Matijevich: "It's not necessary. Representative Bowman to close."

Bowman: "Thank you, Mr. Speaker. In response to the Gentleman from Clinton, I believe that he really did not address the issue. He suggests that this Motion is based on aesthetic principles, but, Ladies and Gentlemen of the House, consider - right now in the City of Chicago there are 80 children who are being cared for by the State of Illinois, who are being educated by the State of Illinois. There are 80 children orthopedically handicapped whose limbs are maimed and misshapen and nonfunctioning, and these children have available to them one physical therapist. 80 children - one physical therapist. This 63,000 dollars is necessary that they may obtain additional physical therapy assistance. It's absolutely necessary for the health and well being of 80 orthopedically handicapped children, and I urge an override vote."

Speaker Matijevich: "On Representative Bowman's Motion, the question is, 'Shall the reduced item of appropriation on page 31, line 22, of Senate Bill 378 be restored to its original amount, notwithstanding the reduction of the Governor?' Those in favor signify by voting 'aye', opposed by voting 'no'. It takes 60 votes. Final action. Have

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 68... 67 'ayes', 42 'nays', 2 answering 'present', and the House does restore the appropriation on page 31, line 22, of Senate Bill 378 to its original amount, notwithstanding the reduction of the Governor. Page three of the Calendar, Total Veto Motions, appears Senate Bill 139, Representative O'Connell. The Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 139 creates a program whereby the high impact training services could be available to local educational agencies under the direction of the State Board of Election... strike that - State Board of Education to make available funds for areas where there are high unemployment and a need for vocational educational training for semi-skilled and skilled employment. The Bill addresses a very obvious problem wherein the need for high tech training has become an all pervasive need throughout this state in some areas more particularly than other areas. The measure received a substantial vote during the course of the Legislative Session. There was a problem through the Governor's Office with the relationship of using of... There was a problem with the requirement that a person who is on unemployment insurance would not be penalized by losing his unemployment insurance benefits by participating in the... what we call the HITS Program. The effective date on this measure is July 1, 1984. The issue with regards to whether or not there could be a problem with unemployment insurance funds can be addressed very easily by us here if there is indeed a problem. And I should say for the record the Washington, D.C. has not come back with a definitive answer as to whether we would be

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

jeopardizing unemployment insurance funds by maintaining this requirement that a person on unemployment insurance be penalized by losing. If there is a problem with Washington wherein our funds would be jeopardized, I have received a commitment from Senator Zito who is the original Senate Sponsor and myself that we will repeal the measure or do whatever the administration feels is needed in order to preserve our standing with the Federal Unemployment Insurance Program. With that out of the way, with that concern out of the way, there is clearly no justification for not voting for this Bill. It provides for funding from the job training program. It also provides for some funding from GRF funds to the State Board of Education. The problem that is addressed is certainly one that is existent in every one of our districts. We're now giving an opportunity to the unskilled to become skilled. We're utilizing our educational facilities from the community colleges and the high schools to do something to make this state competitive with the Sun Belt states and the other states that have utilized the high technology and job training that is of a vital interest and need to those of us in this state. I'd ask for your favorable vote."

Speaker Matijevich: "Representative O'Connell has moved that Senate Bill 139 do pass, the veto of the Governor notwithstanding. On that, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Motion for a number of reasons. First, this is, in fact, a duplication of an already existing federal/state program for dislocated workers which is currently funded at 22 million dollars and is administered through the 18 community college districts... through 18 community college

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

districts here in the State of Illinois, and they're doing a fine job. In fact, since the inception of the current program, we've trained more than 7300 people for new jobs, new jobs - underline that - at an average cost of 452 dollars a person. And that's an excellent buy. I think the question that the Gentleman raises in concern unemployment benefits is a good point to make, and that is that there is a possibility in this Bill that we're going to end up with a form of double dipping where people are drawing in the HITS Program and drawing unemployment benefits at the same time. Also, the year-to-year funding of the HITS Program or any other program should remain a legislative prerogative to ensure accountability and not be guided by the fortunes or misfortunes of a single Lottery game. The inclusion of the Lottery in the Program, in my judgement, was a singularly bad idea. The Governor concurs with that point of view, and I concur with the Governor's veto of this legislation and would ask that we sustain the Governor's veto and that we vote 'no' on the Motion submitted by the Gentleman from Cook."

Speaker Matijevich: "Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, in addition to many of the points made by the previous speaker from DuPage, I would add to that and attempt to solidify your feeling toward the problem connected with this override and the reason why you should sustain the veto. The Bill, among other things, mandates that the state give blanket approval for all HITS participants so that they can continue to receive unemployment benefits. Should the Governor's veto be overridden, Illinois' UI Solvency Fund could be in extreme jeopardy. As was pointed out by the Sponsor, there has been no official word from Washington relative to the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

fact of conformance to the UI law at the federal level and; therefore, it could put our Solvency Fund in extreme problem area to the extent that we would be liable for the interest charges on the borrowings that we have made through the Federal Government. This could have a strong impact on the General Revenue Fund of the state to the extent of some 53 million dollars. This is a gamble that I don't wish to take, even though the Program, in and of itself, may be laudible. As was pointed out, many of the things are being done today, and frankly it is possible that such a blanket approval of the HITS Program could be deemed by the Federal Government as a lessening of Illinois' solvency effort. And, therefore, I would ask you to give this real deep consideration, and, frankly, at some point into the future when we do receive official notification that it is proper and so forth, it would be plenty of time to move in this direction if we so deem desirable. At this time, it's a real gamble. It makes no sense at all to override the veto. I would ask you to sustain the veto of the Governor."

Speaker Matijevich: "Representative O'Connell to close. Laurino. I'm sorry."

Laurino: "Yes, Mr. Speaker, in closing, Senate Bill 139 is the only piece of legislation that reached the Governor's desk this Session regarding job retraining for the unemployed people of this state. In answer to one of the previous speakers on his doubts of this Bill as far as double dipping, let me assure him that while they're going through this HITS Program, the only source of income they'll have is the unemployment insurance benefits that they do collect now. And don't you think it's better that they are involved in a retraining program rather than not be trained at all at anything and still collect unemployment

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

insurance? I think it's absolutely ludicrous that the Governor's taken this position and regarded it as being something that's hurting his pocketbook. Senate Bill 139 took two long years to develop. It was written by representatives from industry, chambers of commerce, community colleges and universities, labor and government on both sides of the state and federal agencies. Passage of this Bill provides the only ray of hope for more than 600,000 plus unemployed people in this state. Without this Bill, many of these unemployed people will never have the facilities to be retrained in new jobs and, once again, return to the psychological and social levels of a productive, employed, taxpaying citizen. Every one of us, Democrats and Republicans alike, campaigned vigorously on the issues of our faltering economy and putting people back to work in this great state. Let's prove to ourselves and most importantly to our constituents that the promises we made were not just empty campaign rhetoric. It was a commitment to truly provide a ray of hope to our countless unemployed in your 'yes' vote. Halloween's over. Take the masks off and let the people know who you are by voting on this issue in a more productive way. Give these people back their pride. Thank you, Mr. Chairman... Mr. Speaker."

Speaker Matijevich: "On Representative O'Connell and Laurino's Motion, the question is, 'Shall Senate Bill 139 pass, the veto of the Governor notwithstanding?' Those in favor signify by voting 'aye', opposed by voting 'no'. Final action. Requires 71 votes. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 43 'ayes', 54 'nays', 5 voting 'present'. Leverenz 'aye'. And this Motion is declared lost, having failed to receive the Constitutional Three-Fifths Majority. Senate Bill 308. Representative

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
- TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Leverenz on Senate Bill 308, Total Veto Motions. Out of the... or 302, rather."

Leverenz: "Remove that for now."

Speaker Matijevich: "Out of the record. Senate Bill 303, Representative Leverenz."

Leverenz: "Take that out of the record also."

Speaker Matijevich: "Out of the record."

Leverenz: "I'm working with Vinson."

Speaker Matijevich: "Senate Bill 502, Representative Keane. The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Chairman (sic - Speaker). This is the second time we've reviewed this Bill. I've refiled my Motion on 502, because the first time my explanation was really not all that it should have been. I just wanted to clarify a few points that occurred in that debate; that one of the major points is that throughout the Committee hearings and the debate, there were no objections filed by anyone, any state agency in opposition to the Bill, and the Secretary of State's Office, which is the greatest user of Recorder's Office, their only request was that the effective date be delayed until January 1, 1985 to allow them to set up procedures to collect the fees up front. And it would... In that case, there would be no cost at all to the state, and we did... The Bill does have that effective date. I'd be happy to answer any questions and would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Keane moves that Senate Bill 502 pass, notwithstanding the veto of the Governor. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of the Gentleman's Motion on Senate Bill 502. After examination of the Bill by staff, it is ascertained that he is correct; that there

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

will be no fiscal effect... occasioned by this Bill until January of 1985. And by deferring that fiscal impact until that point, it is very probable that the minimal fiscal impact occasioned can easily be handled by the state. So, I would urge an 'aye' vote on the Gentleman's Motion."

Speaker Matijevich: "There being no further discussion, the question is, 'Shall Senate Bill 502 pass, notwithstanding the veto of the Governor?' Those in favor signify by voting 'aye', opposed by voting 'no'. This is final action, requires three-fifths vote. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 111 'ayes', no 'nays', and Senate Bill 502 is hereby declared passed, having received the Constitutional Three-Fifths Vote, notwithstanding the veto of the Governor. Senate Bill 688, Representative Hicks. Representative Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would move to... for an override of the Governor on Senate Bill 688. We discussed this Bill a couple of days ago, and I think there were some misconceptions on the Bill due to the fact that this Bill was the harvest of deer for three additional days. The Bill is strictly ... strictly authorizes the Department of Conservation to do so. It does not go any farther than that. It does not mandate anything whatsoever in the Bill. This Bill also only goes into effect, and they would only do this in case that the normal deer harvest would be of a small enough number that they would still want to have an additional harvest time. And I would move for its adopt... the override of the Governor on it. We did pass the Bill out of here with no dissenting votes. The Senate voted... We have not had a 'no' vote on it up until the time that... day before yesterday."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Matijevich: "Representative Hicks moves that Senate Bill 688 pass, notwithstanding the veto of the Governor. On that, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield for a question?"

Speaker Matijevich: "Proceed."

Hoffman: "He mentioned the fact that we voted on this Bill yesterday. Is that correct, Sir?"

Hicks: "I believe it was the day before yesterday, Sir."

Hoffman: "Day before yesterday. And as I... Alright, yes. Alright. Thank you. I would just bring to the attention of the Body the fact that the Department of Conservation already has the authority to do this if they wish, depending on the size of the population. So, it would seem to me that there would be ... unnecessary to mandate this. They already have the authority, and this would force them to do something which, in fact, might not make an awful lot of sense depending on the... depending on the population."

Speaker Matijevich: "Gentleman from Kendall, Representative Hastert."

Hastert: "Sponsor yield?"

Speaker Matijevich: "Proceed."

Hastert: "Just a matter for clarification, Representative Hicks. Is this the Bill that's been known around or been talking about as the Bambi Bill?"

Hicks: "No, Sir. That's not correct."

Hastert: "It's not... No. This is the buck Bill. The buck Bill, and we're trying to pass the buck Bill right here. Right?"

Hicks: "Pass the buck Bill."

Speaker Matijevich: "Very good. I enjoyed that. Representative Hicks to close."

Hicks: "Yes, Mr. Speaker, I would like to just say that... that

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

in response..."

Speaker Matijevich: "By the way, the buck stops here, Larry."

Hicks: "The buck stops here, but it is not a mandate to the Department. It is not a mandate to the Department to do this. It simply allows the Department to do this. If the normal harvest of the deer population is very low, they could do this and put in the three-day extension. It is not a mandate to the Department to do that, and we would like to pass the buck Bill."

Speaker Matijevich: "Representative Hicks has moved that Senate Bill 688 pass, the veto of the Governor notwithstanding. Those in favor signify by voting 'aye', opposed by voting 'no'. Final action. Requires three-fifths vote. Representative Brummer to explain his vote."

Brummer: "Yes, I think it's... this is a very worthwhile Bill to pass. It has a great deal of interest among the deerhunters. It does not handcuff the Department of Conservation with regard to its exercise of authority concerning the expansion of the hunting season for... for deer. It does send a clear signal, I think, to the Department that there is a great deal of interest among the deerhunters for this... this type of a season, and I would urge more 'aye' votes to override the Governor's veto."

Speaker Matijevich: "Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 65 'ayes', 41 'nays', and Mr. Hicks would like to have a Poll of the Absentees. Clerk will poll the absentees. Greiman 'aye'. Doyle 'aye'. Rhem 'aye'. Huff 'aye'. Doyle 'aye'. Greiman 'aye'. Wvvetter Younge 'aye'. Alright. I'm getting to her. Clerk has to slow down. Currie 'aye'. Marzuki 'aye'. Ropp. Mr. Gordon Ropp. For what purpose do you seek recognition?"

Ropp: "Mr. Speaker, I'd just like to ... Can I explain my vote or

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

not? I wanted to explain it in the form of a question and then just leave it at that. I don't care if it's answered."

Speaker Matijevich: "Alright. It won't be. Go ahead. Proceed."

Ropp: "If we have not reached our harvest allowable allotment, why can't the Department just next year increase the number of deer permits that they issue?"

Speaker Matijevich: "Very good question. Representative Vinson, one minute to explain his vote."

Vinson: "I just want to request a verification if this should get the requisite number of votes."

Speaker Matijevich: "Alright. The Gentleman asks for a verification if it receives the vote. Representative Carol Braun 'aye'. Let's dump this Roll Call, alright? Those in favor signify by voting 'aye', opposed by voting 'no'. Now, let's get the switches. There's going to be a verification. Get the switches on if you're in favor. Have... Now, have all voted? Is everybody getting on who wants to be on so that we don't have to go through this again? Have all voted? Have all voted who wish? The Clerk will take the record. There are 69 'ayes', 36 'nays', 1 answering 'present', and Representative Hicks has asked for a Poll of the Absentees again. Jaffe from 'no' to 'aye'. John Vitek 'aye'. Vitek 'aye'. Clerk will poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Berrios. Capparelli. Domico. Ewing. Harris. Krska. Levin. McAuliffe."

Speaker Matijevich: "One moment. Levin 'aye'. Levin 'aye'."

Clerk O'Brien: "Preston. Terzich and Yourell."

Speaker Matijevich: "What's the count, Mr. Speaker (sic - Clerk)? 72 'ayes', 35 'nos', and Representative Vinson has asked for a verifi... Representative Vinson, for what purpose do you rise?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Vinson: "First, an inquiry of the Chair, Mr. Speaker."

Speaker Matijevich: "Proceed."

Vinson: "How can Representative Jaffe be against guns and for killing deers? Secondly, a verification."

Speaker Matijevich: "Representative Jaffe, I think, wants to... since his name has been used in debate here, would like, on personal privilege, to respond."

Jaffe: "I would like to advise Representative Vinson that you don't kill deers with handguns but with rifles."

Speaker Matijevich: "Shotguns, Aaron. Clerk will poll the absentees... I mean the affirmative vote."

Clerk O'Brien: "Alexander. Bowman. Braun. Breslin."

Speaker Matijevich: "One moment. Representative Bowman, for what purpose do you rise? Leave to be verified? Leave to be verified. Leave."

Clerk O'Brien: "Breslin. Brookins. Brummer. Brunsvold. Bullock. Christensen. Churchill. Cullerton. Curran. Currie. Davis. DeJaegher. Deuchler. DiPrima. Doyle. John Dunn. Ralph Dunn. Farley. Flinn. Dwight Friedrich. Giglio. Giorgi. Greiman. Hannig. Hensel."

Speaker Matijevich: "One moment. Ralph Dunn, for what purpose are you seeking recognition? Leave for Ralph Dunn and Dwight Friedrich to be verified. Leave. Proceed."

Clerk O'Brien: "Hicks. Homer. Huff. Jaffe. Keane. Kulas. Laurino. LeFlore. Leverenz. Levin. Markette. Marzuki. Matijevich. Mautino. McGann. McMaster. McPike. Mulcahey. Nash. O'Connell. Panayotovitch. Pangle. Pierce. Rea. Rhem. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle. Taylor. Turner. Van Duynes. Vitek. White. Winchester. Wolf. Woodyard. Younge and Mr. Speaker."

Speaker Matijevich: "Representative Vinson on questions of the affirmative vote."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Vinson: "Mr. Shaw."

Speaker Matijevich: "Representative Shaw. He's back there."

Vinson: "Where is he?"

Speaker Matijevich: "Just waved his arm. See him over there?"

Vinson: "Wait a second. I don't believe that's him. Could we have him stand?"

Speaker Matijevich: "All I see is an arm. I guess that's not him."

Vinson: "That's not enough."

Speaker Matijevich: "Alright. How's Mr. Shaw recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Matijevich: "Remove him."

Vinson: "Mr. DiPrima."

Speaker Matijevich: "One moment. Leave for Helen Satterthwaite to be verified. Leave. DiPrima? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Matijevich: "Remove him."

Vinson: "Mr. Domico."

Speaker Matijevich: "Domico. How's he recorded?"

Clerk O'Brien: "The Gentleman's recorded as not voting."

Speaker Matijevich: "Proceed. Proceed, Sam."

Vinson: "Mr... Mr. Bullock."

Speaker Matijevich: "Bullock. How's Representative Bullock recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Matijevich: "Remove him."

Vinson: "Mr. Taylor."

Speaker Matijevich: "How's Representative Taylor recorded?"

Clerk O'Brien: "Gentleman's recorded as voting 'aye'."

Speaker Matijevich: "Remove him."

Vinson: "Mr. John Dunn."

Speaker Matijevich: "John Dunn? He's in the aisle."

Vinson: "Representative Hannig."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Matijeich: "Representative Hannig? He's over by your side here."

Vinson: "Mr. Panayotovich."

Speaker Matijeich: "Panayotovich is right by his seat."

Vinson: "Mr. Ronan."

Speaker Matijeich: "Al Ronan is over in his seat."

Vinson: "He's what?"

Speaker Matijeich: "He's in his seat. That arm belongs to him. It's a pretty long one, too."

Vinson: "Mr. Stuffle. Mr. Stuffle."

Speaker Matijeich: "Representative Stuffle is standing in the back."

Vinson: "Representative Deuchler."

Speaker Matijeich: "Deuchler. How is she recorded?"

Clerk O'Brien: "Lady is recorded as voting 'aye'."

Speaker Matijeich: "Remove her."

Vinson: "No further questions."

Speaker Matijeich: "What's the count, Mr. Clerk? On this question there are 67 'ayes', 35 'nos', 1 'present', and this Motion, having failed to receive the Constitutional Three-Fifths Majority, is hereby declared lost. Page five on the Order of Motions, Representative Wyvetter Younge, with regards to HR 529. Wyvetter Younge."

Younge: "Thank you, Mr. Speaker, Members of the House. I move that the Committee on Urban Redevelopment be bypassed and then be placed immediately on the Speaker's Table House Resolution 529. This Resolution would establish a Committee... or a Commission to study the feasibility of bringing to Illinois the Archives and Museum of B. Buckminster Fuller. B. Buckminster Fuller passed on the first of July and prior to that time his archives had been at the University of Pennsylvania, and that archives is now available to go someplace else. And I feel that it should

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

rightfully come to East St. Louis, because Dr. Fuller had been working in East St. Louis for a number of years to develop a project which would be a part of the World's Fair. So, I ask for your passage of this Motion."

Speaker Matijevich: "Does the Lady have leave to amend the Resolution on its face to dis...the Motion be discharged the Committee, because it has been assigned to Committee? Leave. No? Did you say no? No. We'll be at ease for a moment. Representative Braun, for what purpose do you seek recognition?"

Braun: "Thank you, Mr. Speaker. I would ask and I would hope that the Members of this Assembly would give Representative Younge an opportunity to have this Resolution heard on the floor today. Buckminster Fuller was a personal friend of hers, and I was honored really to meet him before he died and to read a book of his that he had given to Representative Younge. He is probably one of the most distinguished Americans to live in our lifetime, and I think it only appropriate that we look at whether or not it makes sense for Illinois to have a memorial and to have his archives here. That's all that Representative Younge's Resolution does is have a look at whether we should have his archives here in Illinois, and I think that's something that we could well consider as we sit here this afternoon waiting for the train to come down."

Speaker Matijevich: "Alright. Representative Younge now moves to amend House Resolution 529 on its face, because it is an incorrect Motion. She moves to amend it on its face to discharge Committee. Those in favor say 'aye', opposed 'nay', and the Motion carries. Have you now finished your Motion...on your motion? Alright. Those in favor of Wyvetter Younge's Motion to discharge Committee on... shall vote 'aye', those opposed vote 'no'. Takes sixty votes.

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Have all voted? Have all voted who wish? Have all voted who wish? Alright. Oh, I'm sorry. Representative Piel, I didn't see your light. Representative Piel."

Piel: "Now what is this?"

Speaker Matijevich: "It's a Motion to discharge Committee. Time out. Punt."

Piel: "You can turn me off now."

Speaker Matijevich: "Alright. Have all voted who wish? Take the record. On this question there are 75... 77 'ayes', 24 'nays', and the Motion prevails. And the Bill (sic - Resolution) is discharged from Committee. Resolution, rather. House Resolution 529. On the Resolution, Mrs. Younge."

Younge: "I ask the House to please pass the Resolution now."

Speaker Matijevich: "Mrs. Younge has moved that House Resolution 529 be adopted. On that, Representative Piel. Are you ready now?"

Piel: "I'm ready now. I was ready before the vote was taken, too, but... Mr. Speaker, Ladies and Gentlemen of the House, I think, first of all, Representative Younge came up to me on several different occasions asking to bypass Committee. It was a situation where we had a Committee meeting two weeks ago, and this could have easily been brought up at that time. But she saw fit to try and bypass Committee instead of going to the Committee. What we're doing basically, if you vote for this, you're creating another commission. I've heard people on the House floor state time and time again that they were against creating new commissions. Well, if you're against creating new commissions, here we go. Here's another one. Unfortunately, she did not see fit. She had talked to myself. She had talked to the Vice Chairman of the Committee. Neither of us saw fit to bypass Committee. We

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

felt that a Resolution like this should come before the Committee. She did not see fit, and I think that this should have gone before the Committee. And now that it's on the floor, I would ask everybody in the House of Representatives to vote against this. It's creating another commission. I'm not saying whether it's the... the... what she wants to do as far as Mr. Fuller is right or wrong. I'm just saying that I feel that we're creating another commission and she wants to bypass Committee instead of creating... you know, going through the proper channels. I would ask you to vote against it."

Speaker Matijevich: "Representative Pullen. The Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask a couple questions, please."

Speaker Matijevich: "Proceed."

Pullen: "How do you propose to fund this Commission? Is there an appropriation with it?"

Younger: "There will be no request for an appropriation. The... There is available hotel and motel tax funds to study the feasibility of projects which would be new tourist attractions. If it is possible for the Archives and Museum of our Buckminster Fuller, Dr. Fuller, to come to Illinois, to come to East St. Louis, then it would be a tremendous tourist attraction. So, I will ask... I will not ask the General Assembly for funds. There are already feasibility monies available for new tourist attractions."

Pullen: "To what agency are those funds appropriated?"

Younger: "Those funds are appropriated to the Department of Commerce and Community Affairs."

Pullen: "Is this Commission being created within that Department?"

Younger: "This Commission is... will be a Commission which will be a part of the General Assembly. I have talked with the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

DCCA, with the Department of Commerce and Community Affairs and, essentially, what the staff there that believes... the staff that is a part of the tourism division, that the idea of bringing Dr. Fuller's museum to Illinois is basically a good idea. And they have provided the application funds... forms which are necessary to apply to them for this matter to be considered."

Pullen: "Would this Commission be applying for a grant from DCCA of those tourism funds?"

Young: "There is a provision in the tourism budget for a 60/40 match, and the application would be for the Department to consider tourism funds for a feasibility study for Dr. Fuller's Museum."

Pullen: "Who puts up the 40?"

Young: "Either the local community or the promotional group or the people interested in the particular project. What has happened in reference to the East St. Louis riverfront is that Senator... Representative Paul Simon has asked the United States Congress to consider the possibility of extending the Smithsonian Institute to Illinois, and the Congress has appropriated 100,000 dollars for a feasibility study to see whether or not a branch of the Smithsonian Institute should be placed on the East St. Louis riverfront. I have talked with Representative Simon, and he is elated at the possibility that there might be a Dr. Buckminster Fuller Institute as a part of that Museum."

Pullen: "Are you saying that 40% of the expenses of this Commission will be paid for from some local group and 60% from a DCCA grant on tourism?"

Young: "No, I'm saying that if the Department of Commerce and Community Affairs makes a decision that it wants to do an economic feasibility study in reference to the subject matter of Dr. Fuller's Museum and Archives, then only 60%

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

of those... of that study could come from DCCA from this tax. The other 40% would have to come from the municipality or from fund raising or some other source."

Pullen: "But it's DCCA itself that would be doing the feasibility study?"

Younge: "I am not going to ask for funds for the Commission. I would hope that the staff of DCCA, and I would expect that the staff of DCCA would help to orchestrate the study and help with this effort. My impression was that they would be very enthusiastic about helping to bring the archives of Buckminster Fuller to the East St. Louis riverfront."

Pullen: "Would the Commission actually do a feasibility study, or would it issue press releases?"

Younge: "I don't specifically know whether or not a consultant would be asked to do the feasibility study or whether or not the Commission would attempt to do that. I think that that is an unknown factor. My request today is that the Commission be established, that this group of people be ... be asked to look at how to develop getting Dr. Fuller's Museum and Archives to Illinois to the East St. Louis area. We have a situation, I might add, in which the Department of Interior has the Arch over the St. Louis side, and there are about four million people a year who come to the St. Louis riverfront. And our effort here is to develop the East St. Louis riverfront which would mean millions of dollars in tourism funds. It would mean that there would be help to pay for some of the expenses as a result of tax revenues, as a result of people living in hotels, as a result of people coming to Illinois to visit the East St. Louis riverfront. And for this reasons, I think that it would be a great asset to Illinois, and I ask you to approve this Rescution."

Pullen: "You mentioned something related to having the Fuller

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

memorabilia there in time for the World's Fair. What World's Fair are you talking about?"

Younge: "There was a World's Fair in the St. Louis metropolitan area, a great World's Fair, just as the Chicago is having in 1992. There was a World's Fair in the St. Louis area in 1903. We are planning that in 2003 we will have another World's Fair, and the exhibit which is the subject matter of this we are hoping will be one of the exhibits in that World's Fair."

Pullen: "You're saying that St. Louis is... and the whole St. Louis area is planning to apply for a World's Fair in 2003?"

Younge: "I'm saying that within the next several years, because it takes fifteen, seventeen years to plan for these things, in the next several years, the St. Louis Metropolitan Area, that region, will be gearing up to try to have a World's Fair, a major, international World's Fair like the one being held in 1992 in Chicago."

Pullen: "I just can't wait. Thank you."

Speaker Matijevich: "Gentleman from Madison, Representative Sam Wolf. Representative Wolf."

Wolf: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijevich: "Representative Wolf moved the previous question. All in favor say 'aye', opposed 'nay'. The 'ayes' prevail. Representative Wvetter Younge to close."

Younge: "Thank you. I ask your support for this Resolution. I think that it will help to stimulate the economy and do all of the good things that tourism does."

Speaker Matijevich: "Representative Wvetter Younge moves that the House do adopt House Resolution 529. Those in favor signify by voting 'aye', opposed by voting 'no'. This takes 60 votes. Have all voted? Who? Representative Winchester to explain his vote."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Winchester: "Thank you, Mr. Speaker. Representative Dunn and Representative Richmond had to step off the floor right now, and I think they might concur with what I might have to say. Buckminster Fuller is more closely identified with Southern Illinois University at Carbondale, and I would think that the most appropriate place for Mr. Fuller's materials to be placed would be somewhere in the Southern Illinois University area there at Carbondale. While I certainly do appreciate what the Representative wants to do, I certainly would think that some more study - and I would like to know how Southern Illinois University would feel about this issue. And, therefore, until I know, I'd like to be recorded as voting 'present'."

Speaker Matijevich: "Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 55 'ayes', 38 'nays', 5 voting 'present', and Wyvetter Younge asks for a Roll of the Absentees."

Clerk Leone: "Poll of the Absentees. Berrios. Brummer. Capparelli. Domico. John Dunn. Ralph Dunn. Ebbesen. Ewing. Flinn. Virginia Frederick. Harris. Krska. McAuliffe. McCracken. McMaster. Nash. Preston. Richmond. Wolf and Yourell."

Speaker Matijevich: "What's the count, Mr. Clerk? There are 55 'aye', 38 'nays', 5 voting 'present', and this Motion is hereby declared lost. On the Order of Concurrence, on page three of the Calendar, appears House Bill 2106, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker, Members of the House. I move to nonconcur with Senate Amendments 1, 3, 4 and 5 to House Bill 2106. And just very briefly I would like to explain. This Bill, 2106, is unique. It's unlike any other that we've dealt with this Session, because we're

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

doing more here than passing a Bill. We're ratifying an agreement to join in a cooperative effort with other states in order to share the cost of a permanent site for the disposal of low-level nuclear waste. All of us here are generators of low-level nuclear waste if we avail ourselves of the services of hospitals that make use of a radioactive facility for diagnosing and treating illnesses, or if we have smoke detectors in our homes or the kind of low-level nuclear waste that we're talking about here is also generated at nuclear power plants when any kind of clothing or other material is contaminated with radioactivity. Last spring this House, all of us sitting here, passed a Clean, Compact Bill, because we understood, at that time, the necessity to move forward. In the Senate there were certain Amendments added. It is my belief that the problems that the Senate Amendments wish to address should be more properly taken care of in the specific management plan that the Commission that's created in this legislation is charged with adopting. Last week in Michigan the four states that have already ratified the Compact met. They are going forward; and, although Illinois was there, we were there only as an observer. We were not there as participants. Because we had not acted, we could not bring to that conference table the companion legislation that Representative Currie has worked especially hard on, and we could not actively point out the kinds of things that Illinois would like to see in a management plan because we have not already approved the Compact. There are those in the Senate who believe that if Illinois passes an amended version of the Compact, other states, the four that have already ratified; Minnesota, Iowa, Indiana and Michigan, will start... go back, start over and reratify an amended version of the Compact. It seems to me that in this room

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

there are some very astute politicians, people sitting here who understand human nature, and it also seems to me simply to go against everything you and I know about human nature to assume that those states will start and will accept an Illinois amended version that's different from what they've already passed without also wanting to include their own Amendments and without also wanting and needing time to debate what Illinois wants to insist upon. They have, in fact, at the meeting last week adopted a Resolution opposing any change in the Compact language, and I have in my files written letters to Members of our Leadership in Illinois from leaders in other states saying that they wish to go forward to take care of this problem that is with us, that will be with us. We can't say, 'Give it back to the feds', because that's not possible. I think that Illinois must recognize that our choice is very simple. It is to join with other states in a cooperative effort, or we will have to go it alone. And that's why I'm asking you today to nonconcur with the Senate Amendments so that we do, in fact, pass a clean Bill that matches what was passed in the other states. Thank you."

Speaker Matijevich: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. I rise in opposition to her, Representative Nelson's, nonconcurrency Motion. Yes, we are generators, and, yes, we are ratifying a low-level nuclear Compact. But, I think, erroneously though the Sponsor alleges that the Bill really needs no refinement. We... There are numerous people over on this side of the aisle who have always believed that we were rushing madly, headlong into this without any safeguards for the people of the State of Illinois, especially in light of the fact that it's assumed, maybe not proved positive, but it's assumed

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

that we may become the host state. The Senate also believes as we did, and I think Senator Joyce's Committee who held hearings on that this summer to try to refine this Bill really needs to be congratulated. And they did adopt, after they came back from the summer's recess, they did adopt four Amendments. I think everyone here is knowledgeable about those... those Amendments. I will just very briefly recite to you from our analysis. If you have an analysis, please pick it up and look at it. Amendment #1 has a major change in the Compact that the provisions providing for shared liability for the regional disposal. I don't think anybody will argue that all the states that have joined in this Compact should have to share some liability. It also provides that the site rotation provision is put in and that somewhere in one these states that it must be done within five years after the adoption. I believe that's July 1st, 1984. Amendment #2 was defeated, and Amendment #3 simply states that the intent of the Amendment is to ensure that the Commission will be operated in an open manner and establishes the procedures ensuring public participation meaning that they must have public records in every state that is the state capitol of the states that are members of the Compact. Amendment #4 quite simply adds a new provision to the Compact to discourage the use of shallow land burials as a disposal method for low-level radioactive waste, and it requires the Compacts Commission in the regional management plan to provide for the development of alternate means for the disposal waste other than land burial or underground injection wells. I don't think anyone on this floor can argue with that concept either. And we have been trying to develop alternate methods for these type of things for a long time. In fact, one of our private people, purveyors -

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

I would use that word - is delving into burning of these things. Lastly, the Amendment #5 is a technical... The Amendment is technical in nature and is necessary in order for this Section of the Compact to be consistent with the shared liability provisions established in Amendment #1 and that has... that has to do with the cost. With all of that, I see nothing that would be detrimental to our commitment to the Compact. We, who have long opposed Representative Nelson's version of 2106 along with practically every one of the environmental groups in the state, including the League of Women Voters and the Illinois Environmental Council, believe this is the right way to go, and it does provide the State of Illinois a substantial protection against any type of... well, whatever the word is - deprivation of our environment or whatever. So, I would just simply ask you all who are concerned as we are to oppose Representative Nelson's Motion for nonconcurrence and then I will stand ready to make a substitute Motion for concurrence of the Senate Amendments #1, 3, 4 and 5. Thank you."

Speaker Matijevich: "Representative Klemm, Gentleman from McHenry."

Klemm: "Thank you, Mr. Speaker. I join Representative Van Duyne in opposing the rejection of the concurrence. You know, it seems to me this is really the first time - and I sat in the House Committee that was chaired by Representative Van Duyne - and I really found that this particular summer lull that we had where we did the open hearings where the people came in to talk about the impact on this was really the very, almost the very first time that we've had public input. Now, it passed the House, and I voted in favor of it, but I really am kind of sorry I did, because we talk about local control and, at least, local concern and a

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

right for people to speak out on what affects their government with gravel pits. We passed Senate Bill 172 last Session concerning the landfill problem with local people being involved in the siting of it; but yet, somehow we're saying that with nuclear waste, even though it may be low-level, we should probably exclude the people in the community that we serve from having too much of an input because who wants one near you. I guess that's true. Nobody wants something that they feel and perceive as being detrimental to them near them, and that's understandable. But if we were to say we know what's best for everyone and that a consort of a number of states are the ones who know best for us, without some of the very simple, I think, Amendments that are shown here - and I think they are simple, because I think they just basically are asking some alternative sources of burial perhaps, looking at some of the different ways, which certainly doesn't seem to be anything anyone could be opposed to, that we should certainly stand up and say, 'Yes, for Illinois, we are concerned. We should at least have these minimal safeguards in this agreement.' Now, somebody would counter, 'Well, other states would want the same.' I think they should have the same, too, yes. I think they deserve the same, and I think other Legislators would look back and say, 'Maybe we should change our agreement and include this.' And I think that's proper for them to do that. So, I stand in support of rejecting this and accepting the Conference Committee Report. I think these are minimum requirements and minimum safeguards for our people, and I don't think that's asking too much for us to support. Thank you."

Speaker Matijeich: "Representative Mautino. Gentleman from Bureau, Representative Mautino."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Mautino: "Thank you very much, Mr. Speaker. I join with Representative Van Dwyne and Representative Klemm in opposing the Motion to nonconcur. What we have before us is the product of the democratic process. The Amendments that were drafted were drafted only after Senator Joyce held his hearings around the state. The important provisions in the Amendments that are embodied in the Conference Committee come from those local experts, whether they be the state's attorney who would be involved in questions of legality in the county in which a site would be selected, the individuals who are involved with fire protection, road commissioners, environmental attorneys, attorneys and experts in the area of hydrology and geology. If, in fact, the democratic process is to have input at the local level, these Amendments that are presented to this Conference Committee Report are, in fact, that process. I subscribe to that process. Most importantly, we are elected to this General Assembly to represent the people of Illinois. The people of Illinois want local input and protections as it pertains to this subject. Personally, I do not represent Iowa, or Wisconsin, or Michigan or Indiana. I care not what those individuals voting on that question do within their own states, but I believe it is harmful to the citizens of this state to allow just the individuals from the Departments in question and the direction from the Federal Government for enactment of legislation that needs amendment and needs straightening up. There is no one in this chamber who agrees in total with anything the Federal Government does. In this case when the original Bill was passed, there was virtually no public input on it. The Amendments in question protect the citizens who we are elected here to represent. So, therefore, I stand with Representatives Van Dwyne and Klemm

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

and was just recently informed that the administration and the Governor would support and sign this Conference Committee as it is if it reaches his desk. So, therefore... a 'no' vote on concurrence to... a 'no' vote on nonconcurrence to House Bill 2106."

Speaker Matijevich: "Representative Christensen. Ray Christensen."

Christensen: "Thank you, Mr. Speaker. We tried to hold this Bill in Committee, because we felt there was no immediate reason to pass it. We weren't successful. If this Bill were to pass without these Amendments, the host state, which would be, by all means, the State of Illinois, could be saddled with millions and millions of dollars for long-term care. It's very important that these Amendments get on the Bill. The Amendments also tend to encourage the reduction of waste, and this is what we're striving for. So, I would join with Representative Van Dwyne and ask for a red vote on Representative Nelson's Motion."

Speaker Matijevich: "Representative Monroe Flinn."

Flinn: "Mr. Speaker, I move the previous question."

Speaker Matijevich: "Representative Flinn moves the previous question. Those in favor say 'aye', opposed 'nay'. 'Ayes' prevail, and the ... and we have Representative Nelson to close. Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. I'd like to respond to some of the points that have been raised by those who rose in opposition to my Motion to nonconcur. First of all, it was my understanding, over all the time that I have been in this House, that if the Sponsor of a Bill rises and asks for nonconcurrence, that that is a courtesy that is usually granted. There is usually the understanding that if the House Sponsor wishes to get together in a Conference Committee Report, that that courtesy is extended. What I'd

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

like to point out is that we are not rushing headlong, which was alleged by one of the opponents. If you vote with me to nonconcur, the ultimate result will be a Conference Committee. And in that Conference Committee it may be possible to work out some of the differences that remain between us. What I would like to say very briefly is that there are specific problems with the Amendments that were glossed over rather than gone into in great detail here today. Let me give you an example of just one very, very short part. There is a question of whether or not state sovereignty would be usurped by the Section that speaks to shared liability. Under the original Compact language, it was clear that the Commission had two functions; one was to develop a management plan and the other was to choose a host state. And then, after those functions were completed, the power passed to the host state, as it should, and the host state then had the power to set all the rules and regulations and to set the fees and to decide on their own siting procedure. If we go with the Amendments which give more power to the Commission than I think most of us would want to see, the host state gives up that power. That's the only place it can come from. It is very, very illogical to assume that an enormous delay would not occur if we have to restart the process through all the other states that have already ratified the original language of the Compact. And it is absolutely not true that Illinois would be saddled with millions and billions of dollars in long-term care. The point is that under the original language of the Compact, the host state could charge fees that included closure, post-closure, long-term care, monitoring and so on and so on, and it was up to the host state to set those fees thereby ensuring, along with the provision for liability insurance and other

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

safeguards, that the people of the state that was chosen as the first and second and third host would not have to pay. I would ask you to carefully consider the logic of this argument and whether or not it really makes any sense not to at least go to a Conference Committee. That's what I'm asking for today. I'm not asking for anything more than that when I move to nonconcur, and I would ask for your affirmative vote."

Speaker Matijevich: "Representative Nelson has moved that the House nonconcur with Senate Amendments 1, 3, 4 and 5 to House Bill 2106. Those in favor signify by voting 'aye', those opposed by voting 'no'. Marzuki, one minute to explain his vote."

Marzuki: "I think it's imperative in this case to make certain that those Amendments which many of us desire are included in here. Unfortunately, that would not necessarily occur in a Conference Report. I reluctantly vote 'no' but happily to see that we are finally moving this thing to where it should have moved in the first place, to the consideration of an important piece of legislation by the people of Illinois and by the elected officials."

Speaker Matijevich: "Representative Pierce, one minute to explain his vote."

Pierce: "Yeah, Mr. Speaker, I certainly don't see anything wrong with the Sponsor of this Bill nonconcurring in some Senate Amendments. Some people seem to think this is a result of a Conference Committee Report. There was no House input in these Amendments. They were put on in the Senate without much of a hearing. We had a full hearing in the House Environment Committee on this Bill. I see nothing wrong with going to a Conference Committee and having the Amendments further discussed, unless the objective is to kill the Compact, which it may be by these Amendments."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

It's important that we pass the Compact. It looks like the Lady's Motion is failing. If it's failing, I'll vote in favor of the Compact, but I think she made a reasonable request as Sponsor of the Bill to nonconcur in some Senate Amendments. Usually that's a voice vote, and I'm very surprised that without any House input we should just automatically accept Senate Amendments which, in effect, will kill the Illinois participation in the Midwest Low-Level Nuclear Waste Compact and make sure that we'll have to go it alone and certainly virtually assure that we'll have to have a waste site in Illinois, because we won't be part of a Compact which is already in existence. And so, therefore, out of courtesy to the Sponsor, I certainly would support her Motion to nonconcur and let the House and the Senate work out Amendments, if necessary, in Conference Committee. This hasn't been to a Conference Committee. I know the Gentleman from McHenry, the Gentleman from Bureau talked about accepting a Conference Committee Report. There hasn't been a Conference Committee. These are Senate Amendments, and we should put it in Conference Committee."

Speaker Matijevich: "Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 33 'ayes', 76 'nays', and the Motion to nonconcur fails. There's a written Motion filed by Representative Van Duyne. The Clerk will read the Motion."

Clerk Leone: "Motion. 'I move to concur with Senate Amendments 1, 3, 4 and 5 to House Bill 2106.'"

Speaker Matijevich: "The Gentleman from Will, Representative Van Duyne."

Van Duyne: "Thank you... Thank you, Mr. Speaker. Contrary to what the ..."

Speaker Matijevich: "One moment. Gentleman... Representative

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Vinson, Gentleman from DeWitt."

Vinson: "Mr. Speaker, I rise for purposes of a parliamentary inquiry."

Speaker Matijevich: "Proceed."

Vinson: "Is the Gentleman's Motion on the Calendar?"

Speaker Matijevich: "No, nor does it have to be."

Vinson: "Wait a minute now, Mr. Speaker. You've got to have a Motion on the Calendar to concur in legislation."

Speaker Matijevich: "The Bill is on the Calendar."

Vinson: "This is final action."

Speaker Matijevich: "That's alright. We know that."

Vinson: "You can't vote on a Bill on final action without either suspending the rules or not... or having the Motion on the Calendar. Now, let's... You know, you're reducing this to the ridiculous."

Speaker Matijevich: "Do you see her Motion on the Calendar, Sam?"

Vinson: "Well, you know, the fact that they didn't raise the question at the right time doesn't mean that when we raise the question at the right time..."

Speaker Matijevich: "No, no. I think if you think a while, you..."

Vinson: "Her Motion is not final action. This would be final action."

Speaker Matijevich: "If you think a while... Representative Vinson, I think if you think a while, the Chair is correct, and the point is not well taken. Representative Van Duyne."

Van Duyne: "Thank you... Thank you, Mr. Speaker."

Speaker Matijevich: "Representative Piel. One moment. Gentleman from Cook."

Piel: "Okay. So, technically, Mr. Speaker, what you're saying is we are on the top of page number three on House Bill 2106, and we are going to be concurring with that. Correct? Am

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

I correct..."

Speaker Matijevich: "We are entertaining Motions on that Bill, and the Motion is before the Body right now."

Piel: "No, the first Motion... the first Motion was Representative Nelson's Motion to nonconcur. I'm just trying to clarify something."

Speaker Matijevich: "Correct."

Piel: "Alright. That was defeated. That was defeated."

Speaker Matijevich: "Correct."

Piel: "Alright. Now... And the question that Mr. Vinson brought up was very appropo, because there was no Motion filed on the Calendar as far as nonconcurring. But besides that... besides that, technically speaking, the Bill is still in the control of Representative Nelson. Correct? So, if it's being Representative Nelson's... Representative Nelson's Bill, then he does not have a Motion on the floor."

Speaker Matijevich: "The Bill... No, let me get to your question. The Bill is properly before the Body. We have called that under the Order of Concurrence, and a Motion has been filed with reference to that Bill. And the Chair has already ruled on that, and we now proceed to Representative Van Dyne. All Motions on the Bill. Representative Diana Nelson."

Nelson: "Thank you very much. I understand that you have the power to make that ruling, but I would just like to register my objection."

Speaker Matijevich: "You may, and you get enough people you can even have it journalized. Alright? Representative Van Dyne."

Van Dyne: "Thank you. Thank you, Mr. Speaker. There has been much, much..."

Speaker Matijevich: "Let the record show Representative Nelson's

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

objection. Proceed, Representative Van Dwyne."

Van Dwyne: "Just to preface my talk, I want to inform the Body that yesterday, or maybe it was even the day before, I queried the Chair and the Parliamentarian as to what the procedure was so that I would be specifically correct in my action today, and I was told by the Parliamentarian - he can corroborate this - that I did not even have to file a written Motion, that an oral Motion would suffice. But, nevertheless, thinking about this I thought well, I better take the added protection and file the Motion, which I did. So, I hope that explains it all, and I'll just say this to everyone on the floor. We have debated this a lot in Committee and on this floor, and the Amendments that were put on House Bill 2106 in the Senate embody all of the ... or not all, but most of the objections. At least they satisfy us in order to pass this Bill, most of the people who have done the objecting to passing it in its original form. Now, rather than belabor the issue, I will just simply move to ratify the Compact, and that's what we will be doing and... and concur in Senate Amendments #1, 3, 4 and 5. Thank you."

Speaker Matijevich: "Representative Van Dwyne moves to concur with Senate Amendments 1, 3, 4 and 5 to House Bill 2106. On that, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. My contention is that these Amendments fall into three categories, either absolutely unnecessary, or else they have some merit or else they destroy the original intent of the legislation. And I think we have to spend a bit of time finding out what's in them. And for that reason, I have some questions of Representative Van Dwyne, the 'UnSpncsor'."

Speaker Matijevich: "Proceed."

Nelson: "Okay. In Amendment #1, Representative, explain what the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

difference is between encouraging the reduction and reducing. Amendment #1, line 3."

Van Dyne: "Representative Nelson, our analysis alludes to the idea, the philosophical approach, in that it says, it revises the policy statement to provide that it is the intent of the party states to, underline, 'reduce' rather than 'encourage the reduction' of the amounts of waste generated. And it does strengthen the letter of intent, and that's the whole idea."

Nelson: "Do you understand, Representative Van Dyne, that if Illinois wanted at some point to encourage new industry in this state, industry that might wish to have as a byproduct of that industry low level nuclear waste, that by saying, we must continually reduce the volume that is generated, we would not be able to provide jobs for Illinois citizens because we would be prevented from allowing any increase in the volume of waste generated. Certainly, it is a worthy notion if one wants to go about, in general, reducing. But if you force the volume reduction, you maybe preventing us from having more jobs for Illinois citizens. Second question."

Van Dyne: "Wait a minute, Representative, you know very well that at the National Conference of State Legislators that all involved in this discussion of low level nuclear waste had no problem with this language, not to mention the fact that industry has also embraced this whole philosophy. So I see no one, up until this moment, has had any problem with this language."

Nelson: "Representative Van Dyne, I was at that meeting and I have my notes from that meeting. And I can tell you that there were questions raised by those who had been in on the original negotiations. Every single point that you and I will spend hours going over today were points that were

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

already raised in discussion over a year and more's time before the original language of the Compact was developed, and precisely the point that I'm making is the point that was raised, and debated and decided in favor of saying 'encourage reduction'."

Van Dyne: "And that's exactly what I stated in my dialogue."

Speaker Matijevich: "One moment, let's not have dialogue. She didn't ask a question. Let's have her continue. You'll have the opportunity to close on your Motion. Proceed."

Nelson: "I do not understand, in line 12, the necessity of changing the word 'care' to 'extended care'. What is... You know, what is so necessary about that? Why are we going to force four states to go back and redo their Compact for a change in language like that?"

Van Dyne: "It's consistent with language later on where the Compact itself refers to extended care. So it just corrects that."

Nelson: "On page three of Amendment #1, we come back to the problem that I alluded to when I explained some of my problems with these Amendments where the Commission has wording that says 'to promote', and instead, we are adding the language 'require'. What we are doing there to the Commission in line three is giving them powers that should rightly belong to the states. I wonder if you could explain why you want the Commission to have more power than the host state should have."

Van Dyne: "Staff tells me that this just requires policy, Representative Nelson, and does not give them any rule making powers. And you know, if...to go along further, I really can't understand your line of questioning or the philosophy behind it. You are espousing the very language that we were using in Committee this very summer, when we wanted to make sure that our state was being protected

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

against a Commission making up or promulgating rules that maybe would be to the disadvantage of the State of Illinois. And you are absolutely talking right in line with our conversation of last summer."

Nelson: "My point is that some of the language of these Amendments is unnecessary and that there is another very good way of dealing with the problem, that is to include the language in the management plan or to do another document that would be like...be similar to what was done in the northwest which was an intent document that all the states signed. My other question has to do with Amendment #1, line 17, where you have made a change that requires a second site to come on line so that the first site will be shut down after twenty years whether or not that first site is full, and that was one of the points that was discussed over and over again in the original negotiations. And the language that was decided upon was language that said twenty years or for the life of the site. Now you're taking that flexibility away from the host state who is after all making profits from the generators and saying that even if they want to remain open, they can't. I don't understand the logic there."

Van Dyne: "The logic is, that it says now in the Compact twenty years or longer, and we want under the...we're working under the assumption that Illinois will probably be the host state, and we don't want to be the host state in perpetuity. We want to make sure that there are some concrete provisions in the revolving of the host state. Now... And the only way we can ensure that is to put specific numbers. Now, if you'd rather have it up there at Hillside, why, we might change it."

Nelson: "Why are you working under the assumption that Illinois will be the host?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Van Dwyne: "Well, I'm not the fellow that looks in the crystal ball, but I think it's common knowledge, or at least a common assumption on this floor, that...or at least we're fearful that we will be. And there is no concrete guarantee for that. But, there is even...there have even been people espouse the idea that we should volunteer for being the host state, because they say that we generate something around 40 to 45% of the total quantity. So, you are asking me things, truthfully, I don't really think that are germane to this, because I'm not a crystal ball gazer."

Nelson: "Do you espouse the philosophy that we should be the first host state?"

Van Dwyne: "I do not."

Nelson: "Don't you think then that it seems more likely that if we are forcing an Illinois Senate version on other states that they will expect something in return and what they might expect in return would be for us to volunteer?"

Van Dwyne: "Representative Nelson, really I don't even know whether this is germane to the Bill, but I want to just state to you that I think if anyone is espousing that Illinois become a host state it was probably you, rather than I."

Nelson: "Representative Van Dwyne, you know very well that I have never suggested that, nor espoused it, nor do I believe it. It may be that within the rotation, of course. Each state who is a party to the Compact will take its turn, but what I'd like to do is guarantee that there is a process set up for that to happen."

Van Dwyne: "In Amendment #1, it states that the second part of Amendment #1 provides that automatic rotation of the host state each twenty years, and it requires the Commission to designate the state to host the second regional disposal

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

site within five years of the designation of the first site to ensure that there is time that that facility is operational within the remaining nineteen years. And it provides, also, that a host state shall not be responsible for hosting another facility again for...until every other state has fulfilled its obligation, and I think that is desirable for the protection of the people, especially the State of Illinois."

Speaker Matijevich: "Would the Lady bring her remarks... Representative Van Dwyne has used most of your ten minutes in response to your questions. So, you might... Could you kind of conclude, Representative Nelson?"

Nelson: "Certainly, Mr. Speaker. I contend that the wording of the Amendment is detrimental to Illinois, because the shared liability provision means that Illinois citizens who will have no say in what Iowa or Indiana may provide for safeguards for a site that might be within that state would have to be paid for by Illinois citizens if this language were to prevail. I think it goes against human nature to believe that it's possible for us to begin this procedure all over again with other states without there being a very, very, very long delay. And I'm embarrassed to be from Illinois and to be thought of as an obstructionist, and I would urge you to reject this Motion so that we might go to a Conference Committee and try to work it out. Thank you."

Speaker Matijevich: "The Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, would the Sponsor to the Motion yield to a question?"

Speaker Matijevich: "Proceed."

Pierce: "Representative Van Dwyne, is it your intention by these Amendments by the concurrence to have the Midwest Compact

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

ratified, eventually, to have it changed in accordance to these Amendments, or is it really to kill the Compact?"

Van Duyne: "Representative Pierce, I assure you that I have all the intentions in the world of voting for the ratification of the regional Compact, and that my desire is not to kill the Compact."

Pierce: "Alright, Mr. Speaker, taking that I know Mr. Van Duyne, the Gentleman from Will, is sincere, and certainly, the Senate Sponsor of the Amendments, the Gentleman from Kankakee, Senator Joyce, is sincere in believing these Amendments, make the Compact acceptable to them so that Illinois can join a Midwest Low-Level Nuclear Compact and continue to dispose of our hospital waste, medical waste and other low-level industrial and atomic plant waste that will be prohibited from being shipped to the States of Washington and South Carolina as they are now. Taking them on their...at their word, which I do, that they sincerely expect the other states to amend the Compact to accept these Amendments, I will support the Motion for final passage of the Midwest Low-Level Nuclear Waste Compact and send it on to the Governor, and hopefully, the other states. I happen to think they're probably wrong in the result. I happen to think that Representative Nelson is probably right in the result and that is, the other states won't accept these changes. We won't join the Low-Level Nuclear Waste Compact, and we'll have to find a site of our own somewhere in Illinois, where if we join the Compact, there at least be a fifty-fifty or a better chance the site would be in another state. But to me, the idea of the regional Compacts are important enough. This is our last chance to obtain one now. I will having failed...having failed to nonconcur and send the Amendments back to Conference Committee, I'm not willing to give the Low-Level

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Nuclear Waste Compact a chance in Illinois by seeing if the other states will fall in line with these Amendments, as Representative Nelson said, 'some good, some indifferent and some ill-advised'. But mostly, in my opinion, they are decent Amendments; and therefore, I will vote in support of Representative Van Duyne's Motion to concur in the Senate Amendments."

Speaker Matijevich: "Gentleman from Cook, Representative Kulas."

Kulas: "I move the previous question."

Speaker Matijevich: "Representative Kulas has moved the previous question. One moment. Representative Vinson. Go ahead, we'll withdraw that. Representative Vinson."

Vinson: "Mr. Speaker, I would ask the Chair to rule that pursuant to Rule 79 (d) which requires that the Amendments be printed and distributed and on the Members desks for one day in advance of this action, that the Motion cannot be considered at this time."

Speaker Matijevich: "One moment. Representative Van Duyne."

Van Duyne: "Mr. Speaker, I just want to call the attention to the Chair that I have the Amendments on my desk, and they have been here for some time - not today - yesterday or the day before."

Speaker Matijevich: "We're checking into that. I think you're right, but we're checking into that. Tuesday, and we're trying to get out of here. Representative Vinson."

Vinson: "What is your ruling on that?"

Speaker Matijevich: "He... He... Just a minute. You are correct in the rule that it was distributed on Tuesday, so we are in order."

Vinson: "Alright then, Mr. Speaker, I would ask the Chair to rule that passage of final action on this Bill, this Motion, will require an Extraordinary Majority because Senate Amendment #1 carries an immediate effective date."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Matijevich: "You're correct in that too."

Vinson: "Now, Mr. Speaker, to the Fill... to the Motion."

Speaker Matijevich: "Proceed."

Vinson: "The problem with the Motion is not the substance of the Motion or the substance of the Bill. Reasonable people can certainly disagree on what the right way for us to deal with this Compact is. And I had no particularly strong feelings on the subject of how we should deal with this. But I think it is a terrible precedent for a Member of this chamber to introduce a Bill, to work hard on that Bill for that Bill to go over to the Senate and be amended, and then, when that Bill comes back, for that Bill to be ripped from the Member's hands by somebody else's Motion, a Motion that isn't on the Calendar, a Motion that the Member has no advance notice of, a Motion that is clearly wrong in procedural affect because it puts the Member in an impossible position. Now, Representative Nelson has worked harder on this and is a more honorable and harder working Member of the House than virtually anybody around here. There is nothing but good interest, good concern for the public good that she has on this subject. She has a right to nonconcur in her Bill. She certainly has a right not to have somebody else to take it over as vehicle to rip it from her. That's totally improper. And I would ask Members on this side to very carefully consider the terrible precedent that's being set here. This can happen on mass transportation legislation. This can happen on any number of other controversial subjects if we let the Chair and the Majority have their temporary tyranny on this subject. We ought to reject this. And Members who happen to believe in the substance, ought to be concerned about the precedent that is being set and ought to at least cast a 'present' vote on the subject. It's a wrong thing to do

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

to an honorable Member of this chamber, and I would urge at least a 'present' and a 'no' vote on this subject."

Speaker Matijevich: "Be at ease for a moment. Alright, Representative Hoffman, the Gentleman from DuPage."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I'll just make two very quick points. One, we have no low-level nuclear site in Illinois at the present time. This will guarantee that we will have one. And number two, if after thought in regard to the subject, the significance of the subject, the consideration of the Sponsor, you can see fit to vote 'no' on this Motion, that will then require that a Conference Committee be held. In my judgment, Ladies and Gentlemen, that we are more likely to resolve this issue in that kind of a setting, than we are in this kind of a setting, and it's for those reasons, those three reasons, I would encourage, encourage us all to oppose this Motion."

Speaker Matijevich: "Gentleman from Cook, Representative Kulas."

Kulas: "I move the previous question."

Speaker Matijevich: "Representative Kulas moves the previous question. Those in favor say 'aye', opposed 'nay'. The previous question prevails. Representative Van Dyne to close."

Van Dyne: "Thank you, Mr. Speaker. I respect all the comments that were made by everyone today. It's been a long extended debate over the summer. And... just suffice to say that we are trying to protect the citizenry of Illinois here. But, also, we are now trying to protect the people who have already voted to join the Compact, Indiana being one. But most importantly, or I should say, secondly importantly, aside from Illinois, we're also trying to encourage some of the other states who have stayed aside and watched the proceedings, and we think that the way this

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Bill has been amended will also encourage them, not retard them, but to encourage them, such as Missouri and other states to join the Compact. So I just simply ask for your 'aye' vote and in concurrence with Senate Amendments #1, 3, 4 and 5."

Speaker Matijevich: "Representative Van Dwyne has moved that the House concur with Senate Amendments 1, 3, 4 and 5. Those in favor of House Bill 2106, those in favor signify by voting 'aye', those opposed by voting 'no'. This takes... It takes three-fifths votes and is final action. Representative Diana Nelson."

Nelson: "Mr. Speaker, if this gets the requisite 71 votes, I'd like to verify."

Speaker Matijevich: "Alright. Have all voted? Representative Marzuki, one minute to explain his vote."

Marzuki: "Thank you, Mr. Speaker. I won't belabor the point that my light has been on for some time, but..."

Speaker Matijevich: "There's been a few of them, Jim."

Marzuki: "Yes, I...I fully understand that, Mr. Speaker. I think that I recognized the work that Representative Nelson has done on this. I might say that I think it's important that we pass this Compact. I think it needs to go back and be reworked, and I think this is one way to guarantee that it will be reworked. I think we need those votes up there to see that this gets done. And I would also say that the way it went out of Committee was not to my liking either to respond to some of the criticism from the other side."

Speaker Matijevich: "Representative Currie, to explain her vote."

Currie: "Thank you, Mr. Speaker and Members of the House. I think that if this House rejects the concurrence Motion, that message, the message we then send to all the other states in this region is that we do not believe in a regional solution to the problem of low level radioactive

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

waste. Here we are at 2 o'clock on Friday afternoon, the last day of the Veto Session. If this Bill were to go to a Conference Committee, this Bill would be dead. The Amendments that have come to us from the Senate were Amendments in which we participated. Some of the language in these Amendments, in fact, were offered and adopted to House Bill 2234. I think the only responsible vote on the Motion to concur with House... with the Amendments to House Bill 2106 is to vote 'yes'. Let's say to the other states in the middle west, 'We're willing to participate in a regional solution to a regional problem.' If this Motion fails, then I think we certainly have said, 'That's the ball game.' And the answer is, we'll be going it alone, going it all by ourselves. I hope that we will...we will concur in Senate Amendments 1, 3, 4 and 5 to House Bill 2106."

Speaker Matijevich: "Representative Klemm. Minute to... Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 80 'ayes', 21 'nays', 10 answering 'present'. And the House does concur with Senate Amendments 1, 3, 4 and 5. Do you persist in your verification, Representative Nelson? No. Looks like a big crowd over there."

Nelson: "Ah, yeah, Mr. Speaker, I withdraw my request."

Speaker Matijevich: "And this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared... We'll even ring the bell on that one... passed. Senate (sic - House) Bill 2234, the Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House do concur in Senate Amendments 2 and 3 to House Bill 2234. House Bill 2234 is, in effect, a management program for the disposal of low-level radioactive waste in

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

the State of Illinois. So, the Senate Amendments, basically, provide clean-up language in the Bill that we sent over to the Senate and also create an Advisory Committee on the issue of regional disposal of low-level radioactive waste. This Bill is a useful Bill as the companion to the Compact, and in the event that Illinois finds itself going alone in dealing with problems of low-level radioactive waste. It has strong support from the environmental community and from the Department Illinois...of the Illinois Department of Nuclear Safety as well as business and industry. I move concurrence, and I'm happy to answer any questions."

Speaker Matijevich: "Representative Currie moves that the House concur with Senate Amendments 2 and 3 to House Bill 2234. Is there discussion? There being none, the question is, 'Shall the House concur with Senate Amendments 2 and 3 to House Bill 2234?' Those in favor signify by voting 'aye', opposed by voting 'no'. Final action. Requires three-fifths vote. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 104 'ayes', no 'nays', 3 answering 'present'. The House does concur with Senate Amendments 2 and 3 to House Bill 2234. And this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. Supplemental Calendar #1, on the Order of Concurrence, appears House Bill 1780. The Gentleman from Cook, Representative Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #2 to House Bill 1780. What this does was...is remove the Governor's objection to vetoing the Bill, taking out the Public Building Commission Bonding Authority. I have talked to the Leader on the other side of the aisle as well

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

as other people on this side of the aisle, and I don't think there is strong opposition. I would move for concurrence."

Speaker Matijevich: "Representative Farley has moved that the House do concur with Senate Amendment #2 to House Bill 1780. Is there discussion? There being none, the question is, 'Shall the House concur with Senate Amendment #2 to House Bill 1780?' Those in favor signify by voting 'aye', opposed by voting 'no'. This requires three-fifths vote and is final action. Have all voted? Have all voted who wish? The Clerk will take the record. This question there are 98 'ayes', 5 'nays', 2 answering 'present'. The House does concur with Senate Amendment #2 to House Bill 1780, and this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. On the Order of Conference Committee Reports. Do we have leave in the use of the Attendance Roll Call that the rule...that Conference Committee Reports be on the desks for one day be suspended? Leave and we use the Attendance Roll Call for that purpose for these Bills on the Supplemental Calendar #1 and that in future Conference Committee Reports today, that that rule be suspended. Leave, and the Attendance Roll Call is used for that purpose. House Bill 541, Representative Barnes. Senate Bill 589, Representative Leverenz. Representative Leverenz."

Leverenz: "Could we take that out for a short minute?"

Speaker Matijevich: "Representative Leverenz on Senate Bill 589. Proceed."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 589 provides the original Bill. It was used for something different. We have taken the priority of travel on state aircraft off. We are back to the original Bill. It would provide that no grant would be

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

given to any transit operation that would compete with the...a private carrier, and I would move for the adoption of Conference Committee Report #2 to Senate Bill 589. Deals with private school bus companies only."

Speaker Matijevich: "Representative Leverenz has moved that the House adopt the Conference Committee Report on Senate Bill 589. Is there discussion? Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask a question, please."

Speaker Matijevich: "Proceed."

Pullen: "Is there any substance to the language being inserted in lines 11 and 12, on page 2, relating to the Urban Transportation District Act?"

Leverenz: "That was taken out by L&E and put in with the proper language as far as I understand."

Pullen: "You're saying there is no substance to that?"

Leverenz: "There is no substitute change in the front. That's correct."

Pullen: "Thank you."

Leverenz: "Thank you."

Speaker Matijevich: "There being no further discussion, the question is, 'Shall the House adopt Conference Committee Report on Senate Bill 589?' Those in favor signify by voting 'aye', opposed by voting 'no'. Final action requiring three-fifths vote. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 109 'ayes', no 'nays', 1 answering 'present'. And the House does adopt the Conference Committee Report on Senate Bill 589, and this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. House Bill 541. Is Representative Barnes here? Rep...The Lady from Cook, Representative Barnes, on Conference Committee Report on House Bill 541."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 541 was amended by deleting everything after the enacting clause and providing Fiscal Year '84 appropriations for the following agencies: The State Board of Education, East St. Louis Community College, Children and Family Services, Dangerous Drugs Commission, Rehabilitation Services, Guardianship and Advocacy, Public Health, Mental Health, Public Aid, Law Enforcement, Correction and Veterans Affairs. The monies from the General Revenue Fund are \$20,388,000...300,000. The other \$15,559,000.04. The total of the entire appropriation for House Bill 541 is \$35,947,000.07."

Speaker Matijevich: "Representative Barnes has moved that the House do adopt the Conference Committee Report on House Bill 541. On that, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Will the Sponsor yield?"

Speaker Matijevich: "She indicates she will. Proceed."

Friedrich: "What are we giving the East St. Louis Community College?"

Barnes: "It adds \$500,000 contract and grant funds for a supplemental appropriation to the College. According to the State Community College, they have received an additional \$500,000 in the following federal grants: the 'PELL' grant, the College Work Study, foster parents and title III. It's all federal money, Representative."

Friedrich: "Well, I certainly would oppose this. They could take it out of here as a single item. Up to this point, they haven't been responsible for the money they've got, and I wish I could have had some input on that, because we're in a middle of a very serious audit of that institution."

Speaker Matijevich: "The Chairman of the Appropriations I Committee, Representative Leverenz."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Leverenz: "Thank you. Will the yield Sponsor yield?"

Speaker Matijevich: "She indicates she will. Proceed."

Leverenz: "I just have a technical inquiry, I guess. On the Hanna that has a facility known as Eanna, we are...are we cutting money in this Bill now, cutting their money in half? Forgot the page. I think..."

Barnes: "It's in Corrections. I know, I'm looking for it. Yes."

Leverenz: "Well, my inquiry is, if we can just provide some clarification. I understand that the facility there as an educational site is going to be used as a work camp site or something of that nature. Have we straightened out the problem, because that is a federal piece of property and can be used for educational purpose only rather than a work camp facility as yet?"

Barnes: "Well, as far as we know, it has been worked out to accommodate the residents to be transferred from Hanna City upon its conversion to a work camp."

Leverenz: "Okay. Thank you."

Speaker Matijevich: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, and to the Bill and to the problem that Representative Friedrich brought up, that these are pass-through funds. They are federal funds. They have to go there, and I believe that the work that the Audit Commission is doing will track the problems at the Community College in East St. Louis. I would ask for the total support of this side of the aisle to adopt Conference Committee Report #1 to House Bill 541."

Speaker Matijevich: "Representative Karpziel."

Karpziel: "Oh, yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. To follow up a little bit on Representative Friedrich's questions about the supplemental appropriation to the State Community College of East St. Louis. It isn't just a matter that we're getting federal

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

funds and passing them through to the College for these grants etcetera. That I would have absolutely no objection to. The problem is is that of that 500,000, \$317,248 is to go to grants to the students. And yet, in the breakdown of these appropriations, only \$40,000 of that 317,248 is going to the grants to the students. Where the other money is going, no one knows, except that in the personal services line item, there is a \$270,000 increase and yet, there is no other money in this Bill to provide for that \$270,000 increase unless, of course, it's coming from the money that is suppose to be going to the grants to the students at the Community College. I do have a problem with this particular supplemental piece of legislation, and I do think that the Audit Commission is certainly, I would hope, is going to do a great job of finding out what's happening to this money. I also want to make another observation about Senate Bill 541 (sic - House Bill 541), and I realize that it is very late to try to do anything about this Bill. Everyone wants to go home. Everyone is anxious and not paying a great deal of attention, but the problem is that that last spring when the Appropriations II Committee was supposed to be meeting and looking at these things and getting down to the nitty gritty in the line items, and where the money of the state taxpayers where it is going, we were not able to do that. And we were at that time presented at the last minute with a great, big, huge appropriation Bill that we were told either vote up or down, and now we are in the exact same posture again with the supplemental. I happen to resent that as a Member of the Appropriations Committee, and I resent that as a Representative in this General Assembly. There are three places in three different agencies where there is money appropriated for a program that we never, ever approved as

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

a substantive program in this state, and that program happens to be called Parents Too Soon. I have no problem with the program. I think helping teenage preg...teenagers who are pregnant, I believe in helping them, except that when you tuck these little appropriations among various different agencies to the tune of eight and a half million dollars for a program that is just now starting up, which we have never actually approved, I think is just too much. Eight and a half million dollars is more than half enough to build one or these new prisons that we're talking about, and eight and a half million dollars could do a whole lot of other things without going to start up a program, especially when all the appropriation for it was tucked in little bits here and there in different agencies. And frankly, I resent having to vote on this Bill, Senate Bill 541, in the condition it's in."

Speaker Matijevich: "The Chairman of the Appropriations II Committee, Representative Woods Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It seems to me that the tail is wagging the dog with this particular Conference Committee Report debate. I would just like to point out, for the benefit of the Members who may not have looked at the Report, that of the \$20,000,000 in GBF, \$16,000,000 is going for Corrections, Ladies and Gentlemen. This \$16,000,000 is the cornerstone of the entire Corrections package that has been put together during this Session. Now there were lots of elements of that Corrections package that sparked heated debate, very heated debate. However, this particular \$16,000 item...\$16,000,000 item in this Conference Committee Report was never questioned. This was not the part of the package that was ever seriously questioned, and without this Conference Committee Report being adopted,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

everything is going to fall apart, and we'll be here Saturday, and Sunday and maybe thereafter. I'd also like to point out that there are a number of transfer items in this legislation that, while they do not change the bottom line, are very important. They are very important for foster care, for group care, for emergency food and shelters. These are transfer items that are very sorely needed even though they do not affect the bottom line. So, I would recommend for everybody in this House to cast an 'aye' vote; because, without this Conference Committee Report being adopted, I could absolutely guarantee you that we will be here through the weekend."

Speaker Matijevich: "Gentleman from Will, Representative Van Dyne."

Van Dyne: "Yes, would the Gentleman yield for a question, please?"

Speaker Matijevich: "Proceed."

Van Dyne: "I'm looking at our analysis, too, of the Department of Corrections, and in B it said that additional operating costs due to the double celling at Centralia and Hillsboro Correctional Centers for 2.778 million dollars, 400 beds. Are you talking about...Is this on the come, so to speak? Because if it's not on the come, and you are double celling at Hillsboro and Centralia, which are new entities, then this seems to me that all that we've ever heard about the double celling and the early release program that we've had has just been so much double talk, because as I understand the law, and I have an Amendment out to delete that part for the fifty square feet, that we were unable to double cell at Hillsboro and Centralia because of the fact that they...we had to provide fifty square feet per inmate and that...in new or newly designated institutions. Now do they not come under the heading of new and newly designated

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

institutions? Well then, are you double celling there now, or not?"

Barnes: "Not at the moment."

Van Duyne: "You are not and you are... This is on the come, as I said."

Barnes: "Representative, since you said... Will the Gentleman answer? Maybe you would really like to hear from Representative Davis, and I will defer to him."

Van Duyne: "Okay. Thank you."

Speaker Matijevich: "Representative Davis. Doesn't want to be... Representative Davis."

Davis: "The answer is very simple, Representative Van Duyne and Brummer. There are 200 people additional in Hillsboro and Centralia now, over capacity. The cells are being installed at this point, but the operational increase due to the 200 in commodities and increased security and whatever, are there for that type of money. Now, for your information, Centralia, the fifty square foot...won't affect Centralia. It came on line before we put fifty square foot in it. It will affect Hillsboro. Those people are not double celled now, because they are on the floors in the gymnasium and in the chapels at those institutions. The cells are being installed at this point in time, and they will be double celled after we pass the Amendment in..."

Van Duyne: "But I want someone to tell me, if you have 400... Well I don't know what number of cells there are there, but assuming there are 400 cells which are single occupancy and that we do go and I understand that everybody agrees that we should go toward double occupancy, what the necessity is. If you take 400 cells and you've got a 125 people living in the library and the gym, if you go to double celling, you will have somewhere around 275 access spots in

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

the existing 400 cells. Now why do you have to go through the machinations of providing extra space and spending to, whatever is 2.7...178...\$2,778,000 when all you do is have to simply buy beds for them and put them in, and you...if you buy enough beds, you'll have 275 beds that are unoccupied."

Davis: "LeRoy, I think you're little confused on the issue. What I'm saying to you is the cells are being installed now. The prisoners are there awaiting for, not the cells, the beds in the double cells are being installed now, and the prisoners are waiting for that so they can get off the gymnasium floor."

Van Dwyne: "Okay. I...Well...I'm kind of...I'm kind of a basic sort of a fellow."

Speaker Matijevich: "I think we're out of order here, LeRoy, because Jane Barnes is the Sponsor, and you and the Gentleman are in a dialogue, I believe. So... Well..."

Van Dwyne: "But, Mr. Speaker, please. I believe he's misleading us all. If we're talking... if the cells are there, and they are only occupied singly, then if there's 400 cells, there is room for 400 people. All you need are beds. And are you trying to tell me then, that to put two men to a cell that it is going to cost \$2,778,400 for 400 beds, and mattresses and blankets? That's ridiculous."

Speaker Matijevich: "Representative Brummer. Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Matijevich: "She indicates she will."

Brummer: "There are several different appropriations for the program, funding of program Parents Too Soon. Could you give us a little more detail on that program?"

Barnes: "Representative, I didn't hear the last part of your question."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Brummer: "Could explain that program, the Parents Too Soon Program?"

Barnes: "Yes, it is a program that has just been initiated and, the Conference of Women Legislators had a full explanation of it yesterday, and it provides prenatal care. It teaches the girl how to care for the baby, how to care for herself. And Parents Too Soon is also trying to encourage them not to have babies and become parents too soon. It is also encouraging them to go back to high school and get their diplomas so they can get off the public aid rolls and start to survive as the rest of us do."

Brummer: "Who is the director of that program?"

Barnes: "It's in the Department of Public Health."

Brummer: "And who is the director of the program?"

Barnes: "Linda Miller."

Brummer: "Okay, with regard to a little more detail on that program, particularly the portion dealing with encouraging individuals not to become parents, are there any funds for abortion?"

Barnes: "No. No. Representative Brummer, I feel the same way as you do about that particular item."

Brummer: "You answered the question. Are there any funds for abortion counseling?"

Barnes: "No."

Brummer: "And...And you're indicating, specifically, that these funds cannot be used for either performance of an abortion or an abortion counseling?"

Barnes: "No. Representative, what we're trying to do here is to teach these young girls..."

Brummer: "Thank you."

Barnes: "...some self-esteem and that there are other things besides becoming pregnant."

Speaker Matijevich: "Representative Barnes to close."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Barnes: "I would ask for a favorable Roll Call, Mr. (sic - Speaker) Chairman."

Speaker Matijevich: "Representative Barnes has moved that the House do adopt Conference Committee Report #...Conference Committee Report on House Bill 541. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is final action and requires three-fifths vote. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 85 'ayes', 21 'nays', 3 answering 'present'. And the House does adopt the Conference Committee Report on House Bill 541. This Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. Representative Barnes on Senate Bill 375."

Barnes: "Mr. (sic - Speaker) Chairman, that says House Bill. It's Senate Bill. Senate Bill 375. Thank you. The Bill is..."

Speaker Matijevich: "Senate Bill 375. Thank you."

Barnes: "Thank you, Mr. (sic - Speaker) Chairman. Mr. (sic - Speaker) Chairman, Ladies and Gentlemen of the House, Senate Bill 375, which both sides of the aisle have had a copy of for several hours, is amended by deleting everything after the enacting clause and by providing Fiscal Year '84 appropriations for many of the agencies. And the General Revenue Fund total is \$21,914,000.02. Other funding is \$8,823,000.03, and the total package for this Senate Bill 375 is \$30,737,000.05. I would appreciate an 'aye' vote."

Speaker Matijevich: "Take this Bill out of the record. Leave. Bill is out of the record. We'll get back to it. On the Order of Motions, appears House Joint Resolution 105, the Minority Leader, Representative Lee Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I'd ask

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

for leave for immediate consideration of House Joint Resolution 105."

Speaker Marijevich: "The Gentleman asks leave to bypass Committee and have immediate consideration of House Joint Resolution 105. Is there leave and use of the Attendance Roll Call? Leave is granted. House Joint Resolution 105, the Minority Leader, Representative Lee Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Joint Resolution 105 was drafted by the conferees last evening as well as by the Speaker, and by the President of the Senate, and Minority Leader of the Senate. The Resolution instructs the Legislative Audit Commission to audit the Department of Corrections so that we can receive sufficient information to make future judgments as to the need in the Department. And I would move for your favorable adoption of the Resolution."

Speaker Matijevich: "Representative Daniels has moved the adoption of House Joint Resolution 105. On that, the Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I join Representative Daniels in urging the adoption of this Resolution. The one thing that we, in the General Assembly, have found is how secure our prisons are. They are secure from the people who are in them, getting out, and they are secure from the people in this General Assembly who want to have some information about them, getting in. This particular Resolution will give us a process, provide a process that ...and will embark upon a process that will audit the situation in our prisons, that will require the Department of Corrections to come forward with information, to be forthcoming, and it will open up their process. The old-boy system in the Department of Corrections is at an end. I ask for favorable approval of this Resolution."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you. Will the Gentleman yield for a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Bowman: "Thank you. Representative Greiman, during the discussions on this proposed Resolution, I had expressed a keen interest in seeing an audit, a management audit being performed on Adult Supervision Services, and there seemed to be a general agreement to that effect. Since I don't find the specific words in this Resolution, I wonder if you can tell me if the legislative intent is broad enough to cover the management audit of the Adult Supervision Program?"

Greiman: "Yes, quite clearly it is. I think it is implicit in the general purport of this Resolution, but it probably is explicit as well in terms of the third to last Resolution which directs the administration and management of adult institutions. I think that's generic language and clearly, with respect to your inquiry, that would be included."

Bowman: "So the Adult Supervision Program which is an integral part of the entire Corrections system, and because of that, it would be included. Thank you very much."

Speaker Matijevich: "Representative Klemm, the Gentleman from McHenry. Representative Klemm. He can't get a microphone. Representative Fiel is seeking recognition."

Klemm: "Apparently not, but I do have it now, Mr. Speaker. Really, I support the Resolution, but there is something that really concerns me about this whole process, and that's the second 'whereas', no, the first 'whereas', where it says, 'The Legislature's ability to address these many problems is limited by the Department of Corrections, which has been unable or unwilling to provide the necessary information.' And I go back on the back page, and one the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

resolves is that the Department of Corrections is 'hereby directed to'. Now I don't know about you, Ladies and Gentlemen, but I accept the..."

Speaker Matijevich: "One moment. I understand the Minority Leader would like to have this out of the record for a moment. Is that correct?"

Klemm: "May I proceed?"

Daniels: "No."

Speaker Matijevich: "Then why don't you come up here and talk to us? The Minority Leader, Lee Daniels."

Daniels: "How many Republicans do we have?"

Speaker Matijevich: "Not enough."

Daniels: "Then take it out of the record."

Speaker Matijevich: "Thank you. Appreciate that. House Joint Resolution 106. Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. I'd like unanimous leave of the House to hear Joint Resolution 106 at the present time."

Speaker Matijevich: "Unanimous consent and use of the Attendance Roll Call for the immediate consideration of House Joint Resolution 106. Leave is granted. Representative Piel on House Joint Resolution 106."

Piel: "Thank you, Mr. Speaker. With the indulgence of the House, I would ask that the Clerk read Joint Resolution 106, please."

Speaker Matijevich: "The Clerk will read the Resolution."

Clerk Leone: "House Resolution 106. Be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that the Illinois Department of Conservation change the name of the Sand Ridge Fish Hatchery in Southern Illinois to the Jacob John Wolf Fish Hatchery, and be it further resolved that a suitable copy of this resolution be transmitted to Mr. David Kenney, Director of Conservation."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Piel: "Thank you, Mr. Speaker. Needless to say, Jake Wolf had done a lot for the State of Illinois in the area of conservation. And the Sand Ridge Fish Hatchery... You know, Jake Wolf worked on this for over ten years to get this to be an institution or a facility in the State of Illinois. Just before he left the Legislature, we finally passed the funding and the mechanism to get this into beam. Today, it is the number one fish hatchery in the nation. And as a living memory to former Representative Wolf, I would ask for the passage of House Joint Resolution 106, and I would also like leave of the House to add all Members of the House as Joint Sponsors of this Resolution."

Speaker Matijevich: "Is leave granted? Leave is granted that all Members be on the Resolution. Representative Davis."

Davis: "Well, Mr. Speaker, I didn't talk during Representative Wolf's Death Resolution. I...I feel...still feel a great sense of personal loss. He was one of my closet friends, and a great outdoorsman and a great American. I truly believe that this would be a fitting tribute to have what is now the model facility of its kind in this country, named after him and prominently displayed on Illinois' highways, byways and by the hatchery itself. And I know that that beloved colleague of ours is watching us today. So, I think this should get 118 votes."

Speaker Matijevich: "Representative Greiman, your light's on. Representative Piel to close."

Piel: "I would just ask for a unanimous vote on House Joint Resolution 106."

Speaker Matijevich: "The question is, 'Shall House Joint Resolution 106 be adopted?' All in favor say 'aye', opposed 'nay'. The Resolution is adopted. House Resolution... Be at ease. Representative Van Duynes, for what purpose do you rise?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Van Duyne: "Oh, thank you, Mr. Speaker. I presume that now that you are on House Resolutions, that now would be the time to hear 391."

Speaker Matijevich: "We're not quite that far down yet. House Resolution 582, Representative Pangle."

Pangle: "Thank you, Mr. (sic - Speaker) Clerk. I ask for leave for the Clerk to read the Resolution, please."

Speaker Matijevich: "Do we have leave and use of the Attendance Roll Call for the immediate consideration of House Resolution 582? Leave is granted. Clerk will read the Resolution."

Clerk Leone: "House Resolution 582, Pangle - Satterthwaite - Johnson. Whereas, the University of Illinois football team, otherwise known as the 'Fighting of Illini', have recently established its longest winning streak since 1951 as its staunch defense and methodic defense (sic - offense) have systematically disposed of opponents week after week; and whereas, the 'Illini', unbeaten in the Big Ten and led and inspired by Coach Mike White, have stormed their way into first place in an electrifying manner that has become the trademark of the 'Fighting Illini'; and whereas, Coach White, in the short span of four years, has established a nationally respected football program which this season has steadily risen in the polls to the point where the 'Illini' is currently rated sixth in the country; and whereas, the 'Fighting Illini' 20-11-0, under Coach White, have achieved new heights of impressive dimensions including the first victory over Michigan since 1966; the first home victory over the Wolverines since 1957; the first time since 1966 that both Ohio State and Michigan fell victims to the 'Illini'; and the first time in twenty years that Illinois gridiron fans will have been accorded the pleasurable madness of trying to secure travel plans to Pasadena,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

California; and whereas, Coach White, who has now beaten every Big Ten team at least once and compiled an 11-4 home record, has created an enthusiasm for Illini football that has raised average attendance at Memorial Stadium from 73,000 fans and generated a 'Rose Bowl Fever' so intense and so...more than one Illinois opponent has wished that they could play anywhere else in America; and whereas, this indisputable acts lead all fans of the orange and blue to the ultimate conclusion that Chief Illiniwek will again raise his arms in tribute and glory as the 'Illini' continue in their quest for the roses. Therefore, be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, that we congratulate Coach White on his outstanding achievements at the University of Illinois and that we express our confidence that the 'Fighting Illini', with its collegiate exuberance and professional poise, will continue to establish that 'the 80's belong to the Illini' and that we show confidence in this prophetic adage by asking that the Governor of the State of Illinois join with this House in declaring January 2, 1984, as 'Mike White Day'. And be it further resolved that a copy of this Resolution be forwarded to Governor James R. Thompson and that a suitable copy of this preamble and Resolution be presented to Coach Mike White as a formal indication of the deep respect in which he is held by this House and of the deep pride felt by the citizens of this state."

Speaker Matijevich: "Representative Chuck Pangle."

Pangle: "I-L-L.

et al: "I-N-I."

Pangle: "Alright. I would just like to say that the Fighting Illini are now number one in the midwest under the leadership and direction of Coach Mike White. There is no

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

doubt that on January the 2nd, the Fighting Illini will be number 1 in the nation. Sometimes it makes you wonder if we couldn't use some more of the type of leadership that we have at the University of Illinois here in Springfield. I said in room 207."

Speaker Matijevich: "Let's move a long we got a lot of business here."

Pangle: "Alright. Thank you very much. I appreciate the passage of the Resolution."

Speaker Matijevich: "Alright. Josephine Oblinger. Proceed. Oblinger."

Oblinger: "Mr. Speaker, Members of the General Assembly, I'm probably the oldest alumni of the University of Illinois on this floor. I think this is premature. I think we should wait until they win those three games. We're getting this kind of impression that we are invincible and even the players and the coach himself have said, 'Don't do anything until we get there'. You know, saying January 2nd is the date. Won't we look like a bunch of idiots if it isn't the date? Really and truly, we've waited for this too long. I just went through the 50th reunion. I know how long I've waited for it, and I don't want this done prematurely to make us look like idiots. We're all enthusiastic about it, yes, but we're not all making travel arrangements yet. They haven't even gotten them out."

Speaker Matijevich: "Question is, 'Shall the House... Question is, 'Shall the House adopt House Resolution 582?' Those in favor say 'aye', opposed 'nay', and the Resolution is adopted. Page five of the Calendar, House Resolution 476. The Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentleman of the House, House Bill 476 was suggested to me by communities in my district and by Representative William Petersen, because they found

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

that the Department of Revenue had distributed municipal sales tax receipts to them that later belonged to Libertyville because of improper reporting by a food store chain. They also felt that they weren't getting accurate reports on the Municipal Retailers' Occupation Tax and Use Tax and so on."

Speaker Matijevich: "One moment. Would Representative Ronan come to the Chair for a moment? Proceed."

Pierce: "And all this Resolution does is authorizes, and this went to Committee by the way and was approved, all the Resolution that is offered by myself and Representative William Peterson does is authorize and direct the House Revenue Committee to investigate the procedures on which the municipal sales tax is collected and reported to the municipalities to make sure we're getting prompt, accurate reporting and payment of the 1% tax that our municipalities receive. The state isn't collecting it for nothing. The state's getting 2% as a collection fee which we know is more than the cost of collection, and certainly, the state should do an efficient, thorough and accurate job in reporting and remitting the state sales tax, the municipal sales tax, to our cities and villages. And therefore, I move adoption of House Resolution 476."

Speaker Matijevich: "Be at ease for a moment. We're reading the Resolution to determine how many votes it takes, whether it's Simple Majority. The Resolution is going to take a majority of those voting. The question is, 'Shall House Resolution 476 be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. No, No. Yes, Simple Majority. That's right. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 104 'ayes', no 'nays',

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

and I answering "present", and House Resolution 476 is adopted. On page two of the Calendar, under House Bills, Third Reading, appears House Bill 2327. The Gentleman from Cook, Representative Leverenz. The Clerk will read the Bill."

Clerk Leone: "House Bill 2327, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2327 would provide for a reform of the issuance of scholarships by Members of the General Assembly. Principally, it would provide that the people that cannot receive district office allotment would not be allowed to also receive a scholarship. And I would move for the passage of House Bill 2327."

Speaker Matijevich: "Representative Leverenz has moved for the passage of House Bill 2327. Gentleman from Will, Representative Davis."

Davis: "Well, thank you, Mr. Speaker. I thought the Sponsor, and I am a Cosponsor of this Bill, had an agreement to take it back to Second Reading for some Amendments. And I would now ask the Sponsor to request that, or if he doesn't, I would move that the Bill be taken back to Second Reading for the purpose of an Amendment."

Speaker Matijevich: "Gentleman asks leave that House Bill 2327... I understand that this Bill is going to be out of the record. Out of the record. We're going to revert back to Supplemental Calendar #1 and pick up Senate Bill 375. The Lady from Cook, Representative Barnes."

Barnes: "Mr. Speaker, I'd like to take that out of the record for the moment, please."

Speaker Matijevich: "Out of the record. Introduction and First

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Reading of Bills. We're starting business again."

Clerk Leone: "House Bill 2337, Giorgi, a Bill for an Act to amend Sections of Regulatory Agency Sunset Act. First Reading of the Bill. House Bill 2338, Giorgi, a Bill for an Act to amend Sections of the Regulatory Agency Sunset Act. First Reading of the Bill."

Speaker Matijevich: "Be at ease. House will stand at ease for a moment. We're going to do Agreed Resolutions, but everybody be sure that you have to stay here. We're not concluding business. We have a few more important things to do. Before we go to that, Messages from the Senate."

Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of Amendments to Bills of the following titles, to wit; Senate Bill 1119, together with House Amendments 1 and 3, action taken by the Senate November 4, 1983. Kenneth Wright, Secretary.' A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of Amendments to Bills of the following titles, to wit; Senate Bill 143, together with House Amendment #1, action taken by the Senate November 4, 1983. Kenneth Wright, Secretary.' A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of Bills of the following titles, to wit; House Bill 1319, together with Senate Amendment #1, House Bill 2309, together with Senate Amendment #1, House Bill 2100, together with Senate Amendment #1, House Bill 2281, together with Senate Amendment #1, House Bill 1939, together with Senate Amendments #1, 2 and 3, House Bill

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

1613, together with Senate Amendment #1 and House Bill 1130, together with Senate Amendments #1 and 2, passed the Senate as amended November 4, 1983. Kenneth Wright, Secretary.' A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the attached Conference Committee Report of House Bill 1205, adopted by the Senate November 4, 1983. Kenneth Wright, Secretary.'"

Speaker Matijevich: "Resolutions. Agreed Resolutions."

Clerk Leone: "House Resolution 588, Mays; 589, Rice; 590, Daniels - et al; 591, Madigan - et al; 592, Rcpp; 594, Wolf; 599, Tate; and 600, Tate."

Speaker Matijevich: "Before we get to that, Representative Vinson, for what purpose do you seek recognition?"

Vinson: "Inquiry of the Chair, Mr. Speaker."

Speaker Matijevich: "Proceed."

Vinson: "Mr. Speaker, sometime early in the Session, I believe back in January as a matter of fact, I inquired of the Chair as to when the ladies' restroom facility would be expanded, and I was informed at the time that it would be done expeditiously. Mr. Speaker, we've now passed through one full Spring Session, and we've gone through a summer, in which nothing was going on in this chamber, when it could have been enlarged. We've gone through a Veto Session; and, in that period of time, the Majority has added another woman on their side of the aisle. And Mr. Speaker, I'm just renewing my inquiry as to when the Chair intends to cause the expansion of the ladies' restroom facility."

Speaker Matijevich: "Soon as you give us the plan, Sam. No. There was some problem with the original plan in extending out. So, we're looking at a modified plan."

Vinson: "Yes, but I understood that you had already moved Mr.

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Ronan's seat."

Speaker Matijevich: "There is a problem structurally with that, too, by the way. And we mean that seriously from what the Chief of Staff here, Gary LaFaille, tells me."

Vinson: "Well, I would just ask Mr. LaPaille..."

Speaker Matijevich: "We're working on it."

Vinson: "...To take that under advisement, because it's a matter that some people care very much about in this chamber."

Speaker Matijevich: "I would hope so, and so does he, he tells me. Representative Giorgi on the Agreed Resolutions."

Giorgi: "Mr. Speaker, 588, by Mays, tells us about a 104th birthday; 589, by Rice, congratulates the Third World Conference; 590, by Daniels, notes the leaving of Phillip M. Gonet; 591, by Madigan, honors Fornelli; 592, by Bopp, notes the achievements of Richard T. Eunn; 594, by Wolf, talks about teacher of the year; 599, by Tate, talks about an exemplary citizen...; and 600, by Tate, notes an 87th birthday. I move for the adoption of the Agreed Resolutions."

Speaker Matijevich: "Representative Giorgi moves the Agreed Resolutions. All in favor say 'aye', opposed 'no', and the Agreed Resolutions are adopted. That's the way Zeke does it. Representative Van Dwyne, for what purpose do you rise?"

Van Dwyne: "Yes, by the same right that Representative Vinson rose for a parliamentary inquiry, Mr. Speaker. Sometime last spring and then again sometime last summer and in the waning days of the Session, I also would like to know when the Speaker is going to schedule a hearing on House Resolution 391 that I've been so diligently pursuing that has to deal with the wrecking and the total demise. As Representative...as Director Lane said, 'We've rendered it useless of the poor little cell house I'. I wonder when we

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

can huff and puff and blow that thing back together again."

Speaker Matijevich: "We're trying to adopt the plan on that, too.

Representative Giorgi has moved the Agreed Resolutions.

All in favor say 'aye', opposed 'nay', and the Agreed Resolutions are adopted. Death Resolution."

Clerk Leone: "Death Resolution. House Resolution 593, Greiman, in respect to the memory of the U.S. Marines died in Beirut, Lebanon; House Resolution 595, Johnson, in respect to the memory of Gary Randall Scott; House Resolution 596, Johnson, in respect to memory Joel Livingston."

Speaker Matijevich: "Representative Giorgi has moved adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. The Death Resolutions are adopted. General Resolution."

Clerk Leone: "House Resolution 597, Ronan - et al."

Speaker Matijevich: "Committee on Assignment. We'll stand at ease for a moment. As I said, there is still some work to be done. Ladies and Gentlemen of the House, usually Death Resolution... Could I have your attention? Usually a Death Resolution of a former Member we hold until the end on adjournment. Because we do have a lull in activity, we'd like to hold a...move a Death Resolution of a former Member. So would the Assembly please rise? And the Clerk will read the Resolution."

Clerk Leone: "House Resolution 598. Whereas, Allan L. 'Al' Schoeberlein exhibited the finest in personal and professional character throughout his life of service to citizens at every level of government in the State of Illinois; and whereas, the Membership of this Body was deeply saddened to learn of the death of Al Schoeberlein, a fine, beloved and much respected former colleague; whereas, throughout his sixteen years as a Member of the Illinois House of Representatives, Al Schoeberlein worked diligently

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

and well to represent his constituents, the entire citizenry of this state and the ever-important interests of good and fair government and, so doing, earned the respect and the friendship of his fellow Legislators and those who elected him to this office; and whereas, a lifelong resident of Aurora, he also served the citizens there in many capacities including those of alderman, Mayor pro-tem for 18 years, and a Republican precinct committeeman for 42 years; and whereas, in addition to his work in state and local government, he also served the citizens of Kane County as Chairman of the County Board of Supervisors for four years and as Chairman of the Kane County Republican Central Committee; whereas, in addition to his work towards the betterment of government and politics in Illinois, he also served his fellow man through innumerable civic organizations including the Moose Club, Elks Club, Aurora Historical Society, Y.M.C.A., Aurora Sportsmen's Club, American Turners, Union League Club, and the Aurora Navy League; and whereas, he was also a successful businessman as evidenced by his work with All-Steel, Incorporated and was a kind and loving husband to his wife, Beatrice Miller Schoeberlein; whereas, these and countless other contributions made by Al Schoeberlein to the citizens of this state, the residents of Aurora, his business associates, friends and family will be sorely missed but long-remembered. Now, therefore, be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois that we do hereby acknowledge our respect and deep appreciation for the exemplary life of Allan L. Schoeberlein, and be it further resolved, that we offer our sincere condolences to his wife, Beatrice, and to all those who knew and loved him, and be it further resolved that suitable copies of this Resolution and

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

preamble be presented to Beatrice Schoeberlein and to the City of Aurora."

Speaker Matijevich: "Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Mr. Speaker. The first time that I met Al Schoeberlein was many years ago and had contacted...been contact with him many times in between. The next real close association I had with Al Schoeberlein we were in a primary together on opposite ends of the ticket. I grew to know Al Schoeberlein very, very well. I knew...learned to respect him. Al Schoeberlein was a man who loved his country. He loved his County of Kane. He loved his family, and he loved this Body. I was with Al Schoeberlein the day he walked out of here the last time after serving sixteen years. A proud man. A just man. A man very convicted in what he believed in. I would ask that all the Members of this Assembly be added to that Resolution."

Speaker Matijevich: "Leave that all Members be Cosponsors. Leave? The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, former Representative Al Schceberlein was an institution in the old 39th Representative District and in Kane County. His service to senior citizens, and veterans and to all area constituents have earned him our respect and the informal title of Mr. Republican. Al has fought courageously against a lingering illness in his last few years. All of us will remember him whom knew him both here and in our own community. Thank you."

Speaker Matijevich: "Question is, 'Shall House Resolution 598 be adopted?' Those in favor say 'aye', opposed 'nay'. House Resolution 598 is adopted. Thank you. We will be at ease for just a little while. We'll have some business to do in about fifteen minutes. If you want to have a cup of coffee, do so, but stick around very closely. We'll need

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

you and you'll need us. We'll be at ease. The House is going to convene in about two minutes, about two minutes. So let's start getting back to the floor. The House will reconvene. On page three of the Calendar, under Total Veto Motions, appears Senate Bill 302. Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. Could we take that one out of the record for a short time?"

Speaker Matijevich: "Alright. Page four of the Calendar, under Total Veto Motions, appears Senate Bill 303. Representative Leverenz."

Leverenz: "We still haven't made the proper agreement with, I think, Representative Vinson on the other side. So, I ask that that one be taken out of the record."

Speaker Matijevich: "Out of the record. Page two of the Calendar under Senate Bills, Second Reading, appears Senate Bill 546. The Gentleman from Will, Representative Davis. Is he on the floor? This is the Correction's substantive Bill. So, all Members please be present and, as soon as we can locate Representative Davis, we're going to move on this Bill. Messages from the Senate."

Clerk O'Brien: "Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills with the following title, together with Senate Amendments, to wit: House Bills #2305, 2313, 2315, 2317 and 2319, passed by the Senate as amended November 4, 1983. Kenneth Wright, Secretary.'"

Speaker Matijevich: "Be at ease. Representative Davis is on his way. Looks like him walking into the door right now. Senate Bill 546 has been read a second time. Are there any Amendments, Mr. Clerk?"

Clerk O'Brien: "Senate Bill 546, a Bill for an Act in relation to

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

criminal identification investigation. This Bill has been read a second time previously. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Davis, amends Senate Bill 546 on page one by changing the title to read as follows and so forth."

Speaker Matijevich: "Representative Davis on Amendment #1."

Davis: "Withdraw Amendment #1."

Speaker Matijevich: "Leave to withdraw Amendment #1. Leave. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Cullerton."

Speaker Matijevich: "Gentleman asks leave to withdraw Amendment #2. Leave? Amendment 2 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Cullerton."

Speaker Matijevich: "Leave to withdraw Amendment #3. Leave, and Amendment #3 is withdrawn."

Clerk O'Brien: "Floor Amendment #4, Johnson."

Speaker Matijevich: "Leave to withdraw... is that... Is that agreed, the leave to withdraw Amendment #... Leave, and Amendment #4 is withdrawn. Further Amendments? Withdraw 4."

Clerk O'Brien: "Floor Amendment #5, Van Duyn."

Speaker Matijevich: "Leave to withdraw Amendment #5. Leave, and Amendment #5 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Van Duyn."

Speaker Matijevich: "Leave to withdraw Amendment #6. Leave, and Amendment 6 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Cullerton - Johnson."

Speaker Matijevich: "Leave to withdraw Amendment #7. Leave, and Amendment #7 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Bower."

Speaker Matijevich: "Leave to withdraw Amendment #8. Leave..."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Leave, and Amendment #8 is..."

Clerk O'Brien: "Floor Amendment #9, Cullerton - Van Duyn."

Speaker Matijevich: "Representative Cullerton, did we..."

Cullerton: "Mr. Speaker, I would ask to... for leave to withdraw
Amendments #9, 10, 11, 13 and 15 that I am the Sponsor of."

Speaker Matijevich: "Leave to withdraw 9, 11, 13 and 15, is that
it?"

Cullerton: "And 10."

Speaker Matijevich: "Leave, and those Amendments are withdrawn.
Further..."

Clerk O'Brien: "That was 9, 10, 11, 13 and 15?"

Cullerton: "And 15, right."

Speaker Matijevich: "He didn't say 10, but are you the Sponsor of
10 also?"

Cullerton: "Yes, I did. Yes, I did..."

Speaker Matijevich: "10, leave to withdraw that one also. Leave.
Those Amendments are withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #12, Matijevich."

Speaker Matijevich: "Sombdy put that in my name, I believe. Is
it..."

Clerk O'Brien: "Matijevich - Greiman."

Speaker Matijevich: "Representative Greiman."

Greiman: "Withdraw it."

Speaker Matijevich: "Withdraw. Leave to withdraw the Amendment.
Leave."

Clerk O'Brien: "Floor Amendment #14, Homer."

Speaker Matijevich: "Leave to withdraw Amendment #14. Oh, I'm
sorry. Representative Homer on Amendment #14. I'm sorry."

Homer: "Thank you, Mr... I would... I would move to withdraw
Amendment #14."

Speaker Matijevich: "Sponsor withdraws Amendment #14. Further
Amendments?"

Clerk O'Brien: "Floor Amendment #16, Erunsvold - DeJaegher."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Matijevich: "Withdraw. Sponsor withdraws. Further Amendments?"

Clerk O'Brien: "Floor Amendment #17, Cullerton - Van Dyne."

Speaker Matijevich: "I think we are in business now. On Amendment #17, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #17 embodies a number of changes in the law that deal with the problem of prison crowding. Some of these recommendations in this statute were made by the Governor's Task Force on Prison Crowding, which I was a member of, along with Representative Winchester. The most important provision in this statute is to remove the requirement that each prisoner, in new or remodeled Department of Corrections' facilities, be provided with at least fifty square feet of cell floor space. What this means is that the Department of Corrections can double cell prisoners. Director Lane has indicated that this will allow him to be able to find 400 additional beds immediately, which is the equivalent of one half of a prison, or perhaps even two-thirds of a prison and will, in effect, allow the state to save ten million dollars that it would take to construct those beds. The Bill also provides that the counties and municipal jails could also double cell. It requires the Department of Corrections to prepare quarterly reports for the General Assembly relative to prison capacity and population. As a matter of fact, there is fourteen different things that they have to report on quarterly so that we in the General Assembly will have an idea of what the prison population is, and so we can plan for additional space, if it's necessary. We also recognize that the Criminal Sentencing Commission will have a new role in the General Assembly, in that they will be... have to monitor the prison population situation. So,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEPARTMENT

88th Legislative Day

November 4, 1983

therefore, we are restructuring the Criminal Sentencing Commission, providing for an Executive Director of that Commission and providing terms of office for the members of that Commission. We also in this Bill are expanding the offense of threatening public officials to cover mayors, aldermen, city council members and city commissioners, recognizing the fact that there have been a number of threats to public officials, both mayors and aldermen, throughout the state. We also, in this Bill, are allowing counties and municipalities to construct, remodel or convert structures using industrial revenue bonds for lease to the state for use as correctional institutions or facilities. Bids for such projects would... will be submitted to the Department of Central Management Services for certification. However, no agreement can be reached until the General Assembly, by Joint Resolution, approves. And the maximum lease length would be limited to forty years. I believe that this is a very important Amendment in that it is the cornerstone of the solution, at least the short-term solution to the prison crowding crisis, and ask for an 'aye' vote."

Speaker Matijevich: "Representative Cullerton has moved for the adoption of Amendment #17 to Senate Bill 546. Representative Woods Bowman... no, Ellis Levin, I mean."

Levin: "Would the Gentleman yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Levin: "Representative Cullerton, with respect to the double-celling, is this a... does this Amendment permanently repeal the prohibition against double-celling, or does it... is it only effective for a set period of time?"

Cullerton: "Well, there is no sunset provision on the repeal of the requirement that there be at least fifty square feet of

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

cell space for each prisoner. However, the requirement that the cells themselves contain at least fifty square feet of floor space is retained so that if we construct new prisons, as it's expected that we will, we will maintain these fifty square feet of cell space, and then, hopefully, when the prison crowding crisis is alleviated, we can go back to the single cell without having permanently built a smaller cell."

Levin: "Thank you. If I may address the Amendment very briefly."

Speaker Matijevich: "Proceed."

Levin: "I think this is a very important Amendment; and, while there are a number of provisions in it that I like, I must reluctantly urge it's defeat. I think that the double-celling provision is a very bad provision. We've heard... We heard testimony before the House Judiciary Committee about what the effect is of cutting down on the amount of space the prisoners will have. It will create a situation in which there will be increased hostility in our prison system, which will affect not only the prisoners, lead to more disruptions, more inhumane conditions, but will also have a very serious effect on the prison guards and the other employees who have to deal with the prison population. We have a U. S. Constitution which prevents cruel and unusual punishment, and there have been numerous court decisions that you do reach a point when a state, by cutting the amount or the size of the room in which the prisoners are incarcerated, has violated their rights, and I think that this can very, very easily lead to that kind of a situation where we are in court. I'm sure we are going to end up in court if this Amendment is adopted, and this does not seem to me to be the way to go. I also have some reluctance as far as extending the threatening public officials to a whole new category of public officials. I

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

recall Representative Cullerton has, in the past, opposed this kind of legislation of creating special legislation for certain individuals, and this extends it even farther. Accordingly, I'm intending on voting against this Amendment."

Speaker Matijevich: "Representative Davis."

Davis: "Mr. Speaker, we agreed to the Amendment on this side, and I urge our side to vote affirmatively."

Speaker Matijevich: "Representative Homer."

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

Speaker Matijevich: "Indicates he will. Proceed."

Homer: "Okay, Representative Cullerton, I'm particularly interested in the portion of the Amendment that would empower cities or counties to submit bids for the purpose of building or converting correctional centers and then leasing them to the state, and I have some questions along that line. I note that you are pointing to someone across the aisle. Should... should I be addressing my questions elsewhere?"

Speaker Matijevich: "Proceed. Representative Cullerton."

Cullerton: "Yes, I would just indicate to Representative Homer that this addition to this Amendment was requested last night by the Republican side of the aisle, and they are perhaps in a better position to answer the Gentleman's questions. So I would be happy to yield to anyone on the Republican side of the aisle that wishes to explain or answer his questions."

Speaker Matijevich: "Would you yield to someone who will move the previous question? That's what it looked like someone was going to do. Representative Vinson."

Vinson: "If he'll ask... If he'll ask the question again, we'll have a conference and decide who can answer it."

Homer: "If I could state the question, maybe we could find out

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

who would be the appropriate person to answer. First of all, I note that the authority is given to municipalities to use the Industrial Building Revenue Bond Act in order to finance these ventures. It's my understanding of that Act that there are specific provisions in there that disclaim and hold harmless the issuing municipality from any liability to the bond holders. The Industrial Revenue Bonding Act, of course, is there for the purpose of allowing private entrepreneurs to have those bonds issued under the auspices of the local unit of government, but the Act specifically provides that that is the total sum and substance of the involvement of the municipality. It's there in name only, but that they are in no way liable for the payment of the principle and interest on the bonds. Has that been... that issue been addressed in this Amendment at all?"

Speaker Matijevich: "Representative Saltsman."

Saltsman: "No, I believe we're..."

Speaker Matijevich: "Oh, wait a minute. Vinson, I guess. Did you have your conference to see who would answer that?"

Vinson: "I think the short answer to the question is that the Gentleman may or may not be aware of the fact that there is currently pending in the House..., in the United States House of Representatives, legislation which would substantially change the existing Internal Revenue Service statute in regard to industrial revenue bonds. There are a variety of provisions in that legislation. I believe that the conferees and negotiators and the staff supporting them have been in contact with staff members and Congressmen who are involved in that process, and that the purpose of the language that was drafted was to try, as much as we could, to anticipate and to comply with what those provisions will be. Now, ultimately, we may have to make further changes,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

because you could never know what the final product of a Legislative Body will be. I think everybody in this chamber certainly recognizes that, and the changes they make may be different than the changes that have been suggested that they make. But the intention is to try to comply with what their intentions are in regard to that legislation."

Homer: "And further, Representative Vinson, if you know..."

Vinson: "I might add that your efforts in this regard are efforts that we endorse and support, and your general concept is something we endorse and support. And our only intention, our only hope with this language is to try to do something that will make it as consistent as it can be with what is likely to come out of that legislation that the Says and Means Committee has reported."

Homer: "Alright, and is it also your understanding that under this... under this proposal that all counties and cities were... would be invited to submit bids for providing such correctional centers?"

Vinson: "My understanding, and I have not read the language and I was not personally involved in the negotiations, but my understanding is that everybody who desires to avail themselves of that opportunity will be enabled to do that."

Homer: "Alright, I... Well, if I may, just to the Amendment very briefly, I..."

Speaker Matijevich: "Proceed."

Homer: "I have no problem with providing... in fact, the impetus of my Bill, House Bill 2302, was simply to provide additional flexibility and options to the state in dealing with a very difficult problem. I certainly have no objection to granting further flexibility through this vehicle. I do think there are some serious questions though that need to be answered before it in any way became

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

viable. We are going to be asking for bids from communities when there are many factors that go into whether a facility would be located in a particular community rather than what the bottom line dollar amount is. There are questions about the availability and capacity of the sewer and water system of the community, and many other factors to be considered. So, I think when we get into a bidding process with regard to a dollar amount for a facility, the site's specific, that we run into some serious questions. I think the Industrial Revenue Bonding Authority Act provisions have to really be considered, and I... I'm wondering whether we should do so in anticipation of possible legislation that has come out of the Ways and Means Committee of the Congress prior to that event. However, as I say, if it can be shown that this is a viable option, and it can be done legally and less expensively than other alternatives, then... then I'm certainly for it. So I'm not going to oppose it here today."

Speaker Matijevich: "Representative Saltsman."

Saltsman: "Mr. Speaker, I move the previous question."

Speaker Matijevich: "Representative Saltsman moves the previous question. All those in favor say 'aye', opposed 'nay', and the previous question is put. Representative Cullerton to close."

Cullerton: "Thank you, Mr. Speaker. I believe we have discussed this Amendment, the main provisions, of course, being that we allow for double-celling. I would ask for a favorable vote."

Speaker Matijevich: "The question is, 'Shall Amendment #17 be adopted?' Those in favor say 'aye', opposed 'nay', and Amendment #17 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #18, Greisan."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Matijevich: "Gentleman from Cook, Representative Greiman, on Amendment #18."

Greiman: "Speaker... Thank you, Mr. Speaker. Amendment 18 provides for prior notice to the legislative leadership on both sides of the aisle in both Houses, in the siting and selection of a site for a correctional facility. And it provides that there be a timely notice to them prior to a public announcement, giving, I suspect, the opportunity for legislative leadership to have some kind of impact or perhaps even that computer word, input, into the decision before it goes public. It is an agreed Amendment, and I hope that... I know of no opposition to it."

Speaker Matijevich: "Representative Greiman moves for the adoption of Amendment #18. Representative Davis."

Davis: "Mr. Speaker, we agree to the Amendment. We'll accept it on a voice vote."

Speaker Matijevich: "The Gentleman from Lake, Representative Pierce."

Pierce: "I just have a question about this. It's an interesting kind of a notice. Is this a public notice, a private notice? Is it... Is it available to the public? What is this? Is this something unique or sui generis and... Can you give me an example anywhere?"

Greiman: "I would think, Mr. Pierce, that for the Department of Corrections to be sure that they have appropriately given notice and complied and, therefore, not be subject to some kind of court action that they would make the notice public. However, the problem is that it says, 'such notice shall proceed any public announcement or announcement to private individuals', so that I assume they would have to provide it to them in a personal letter of some sort, and... or direct notification in order to comply with the last sentence."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Pierce: "Is there anywhere in our jurisprudence where such a notice exists and anywhere in the Illinois Code, the Illinois statutes where there is such a private notice provision before something takes place? Why wouldn't every Member of the General Assembly be entitled to the notice?"

Speaker Matijevich: "Representative Greiman."

Greiman: "Well, Mr. Pierce... Mr. Pierce, I might have known that when the Illinois statutes were only two volumes; but, since they are five volumes now, I don't know all of them. So, I can't tell you. I can't tell you."

Pierce: "Yeah, but you can't recall any other incidence. Is this a new precedent... Is this a new precedent where the Governor gives a private and secret notice to certain legislative Leaders and not to other legislative Leaders and not to other legislative Members and there's no way..."

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

Pierce: "Yeah, even the Majority Leader doesn't get notice under this. I mean... I just don't understand what it's all about here. I don't understand why, in statutes, we would even encourage such a private type of notice. This is a precedent. It's a serious matter. And I don't think you know either any place in our law where such a notice exists. Mr. Speaker..."

Speaker Matijevich: "Proceed."

Pierce: "...Apparently this is something unique, something that doesn't exist anywhere in the laws of the State of Illinois where a prior, secretive, written notice is given to legislative Leaders and not to the rest of the General Assembly, not to the press, not to the public. Talk about... I can see it in the Supreme Soviet, that you give it to certain leaders and not to the entire Supreme Soviet. Or maybe in the Bundestag, where certain Nazi party leaders might get notice and not the rest of the Bundestag. I

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

don't know where this precedent comes from. Is this an advance in political science? Is this something new that Illinois, like the amendatory veto, will be famous for?"

Speaker Matijevich: "Representative Greiman to close."

Greiman: "Okay, thank you. Mr. Pierce was asking, I guess, a series of questions, and he asked it very eloquently. And so the answer is, Mr. Pierce, that this was put in in lieu of no notice, Sir. That the Department, that the people who negotiate for the Governor, the people who have more than the 71 votes, more than the 70 votes that we have on this side, the people in the Senate, they didn't want any notice at all. They wanted to say, 'Well, we've broken ground and the thing is under way, and we've come in the middle of the night and we've got the foundation dug, and that's the way it is'. So that we tried to find some tempering way so that we could have some kind of notice. Now, this goes to Members of different parties in different Houses, and accordingly, it is the kind of notice that we could negotiate out of the people who are on the other side of the aisle. I think it's... Sure, I would have preferred to have six months notice and... and with all kinds of formalities. That would be my preference, but I live in a world of reality, and we are closing... We are in the closing hours of this Session trying to develop a prison package. This is about the best we could come up with, Mr. Pierce. I... Certainly, Mr. Pierce, we'll have an opportunity to offer some kind of Amendment to the law next spring. But I think we should have this at least so there is no sitting without some kind of notice to the General Assembly. To defeat this would mean that no notice would be given to any Members of the General Assembly, and I think that would be a very dangerous precedent."

Speaker Matijevich: "Representative Greiman has moved the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

adoption of Amendment #18. Those in favor say 'aye', opposed 'nay'. Those in favor vote 'aye', those opposed vote 'no'. You spoke in debate, Dan. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 60... 71 'ayes', 23 'nays', 1 answering 'present', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment 19, Cullerton - Johnson, amends Senate Bill 546 as amended."

Speaker Matijevich: "Was that Cullerton? Representative Cullerton on Amendment #19."

Cullerton: "Thank you, Mr. Speaker. I would indicate that Representative Johnson asked me to handle this particular Amendment. It's an Amendment that I'm not personally too much in favor of, but I understand that this Bill is the result of compromise. This particular Amendment amends the Code of Criminal Procedure with regard to post-conviction hearings, and it provides that, within thirty days after the filing of a post-conviction hearing, the court shall examine the petition to determine whether or not the petition was frivolous or patently without merit. What this Amendment is is the same thing as a Bill that Representative Johnson passed. The Governor had amendatorily vetoed it, taking out the provision that a Judge other than the trial Judge rule on whether or not the post-conviction hearing was frivolous. We failed to accept that amendatory veto. So now, in this Amendment, we are passing the Bill again, as we passed it originally, hoping that the Governor would sign it. So I would move for the adoption of Amendment #19."

Speaker Matijevich: "Representative Cullerton moves for the adoption of Amendment #19. On that, the Gentleman from Decatur, Representative John Dunn, from Macon."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd just like to state for the record that this is no better as Amendment #19 to Senate Bill 546 than it was when it was a free-standing Bill. I indicated when we debated this previously that in my judgement this will result in more work, not less work, for Judges because a Judge has first got to decide whether a petition is frivolous or not, and they do that now. And if they decide a petition is not frivolous, there will have to be yet a second hearing, and I think this concept won't result in any saving of time, energy or money. As a matter of fact, it will be wasteful, and I would urge a 'no' vote on this Amendment."

Speaker Matijevich: "There being no further discussion, the question is, 'Shall Amendment #19 be... to Senate Bill 546 be adopted?' Those in favor say 'aye', those opposed say 'nay'. Those in favor vote 'aye', those opposed vote 'nay'. Representative Brummer, one minute to explain his vote."

Brummer: "I would urge everyone to vote for this Amendment. This Amendment entails the provisions that were included in the Bill that previously passed out of the Senate 54 to 3, passed out of the House 93 to 4. 93 Members on this House floor thought it was a good idea. The Governor made some slight change with regard..."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 55 'ayes', 31 'nays', 1 answering 'present'. Amendment #19 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #20, Cullerton - Johnson, amends Senate Bill 546..."

Speaker Matijevich: "Gentleman from Cook, Representative Cullerton."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, as I had indicated earlier, Representative Winchester and myself served on the Governor's Task Force on Prison Crowding. This Amendment was recommended by the Governor's Task Force as being a very significant, short-term solution to the prison crowding problem. This Amendment, if adopted, in my opinion, will save the state approximately five million dollars. This Amendment, if adopted, will result in a higher conviction rate for residential burglars. Let me explain that. What the Bill does is to make residential burglary a probationable offense. Now, during the summer, it was revealed that the number of residential burglars in the Department of Corrections totalled 868. I'm sure that number has changed, but that's what it was one month during the summer. We estimated that approximately 400 of those 868 residential burglars who are incarcerated were first time offenders. Now, I don't think that you can say blanketly that all first time offenders of residential burglary should not be incarcerated. In many cases, it's their first offense, but there are other offenses that they had pending that were all negotiated through plea bargaining so that that particular first time offender went to jail, and he or she belonged in jail. However, I think it's fair to say that approximately... there's 200 people out of the 15,000 in our jail system right now who are residential burglars who are there solely because of this requirement that there... not even the option of probation be available. And in those cases, those 200 cases, they are only there because the Judge's hands were tied. Now, I think it's important to point out situations where a residential burglar should be given the opportunity, the one break that many people in the criminal justice system

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

are given. There's a situation where a 17 year-old kid attempts to break into a attached garage to retrieve his bike that he had lent to his buddy, and he was... he was arrested, charged with residential burglary, and he has no... The sentencing Judge, if he's found guilty - let's say he has a jury trial and he's found guilty - the sentencing Judge has no discretion to give that 17 year-old kid probation. And what's happening then is this 17 year-old kid is sent to Joliet, and I don't think that anyone would disagree with the fact that the gangs have a tremendous influence on the prison system, and you are going to end up with a 17 year-old hardened criminal. Now, I would also point out that passage of this Amendment will result in more convictions. When we tell a Judge you can't give probation, and that Judge wants to give probation, the only alternative for that Judge is to let it be known to the defendant that if he wants to, he should take a bench trial. And when he takes that bench trial, he is found not guilty of residential burglary, and he walks out without any probation at all because probation wasn't available. Instead, he could receive the sentence of five years probation where he will be supervised by a probation officer and hopefully helped out. It doesn't make any sense to put somebody in jail for a year and a half and then have them come out a hardened criminal, as opposed to the possibility of five years of supervision by a probation officer. It just doesn't make sense. If people are worried about the politics of voting for this, you know, this Bill was passed where we increased residential burglary from a Class 3...or a Class 2 to a Class 1. We also made it non-probationable. The Gentleman who passed the Bill used it in his commercials for his reelection, and he was defeated. I don't think that this vote on this

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION OFFICE

88th Legislative Day

November 4, 1983

particular Amendment is going to hurt anybody politically, especially when you understand it saves five million dollars. No question about it; because, if you can put 200 people under a probation system rather than taking up beds, that's one-third of a fifteen million dollar prison. And we are going to vote shortly on building two fifteen million dollar prisons. So if you want to save money, and if you want to result in more convictions for residential burglars, I think you should support this Amendment. I would also point out, it just doesn't make sense to be consistent with the... the rest of the law. The other things that are probationable include voluntary manslaughter, attempt...any attempt of a Class X felony, attempt armed robbery, attempt rape. All of those are potentially probationable. Now, that doesn't mean that people are going to always get probation. It's just ...We're just saying that in those unusual circumstances, as the one I have described of a 17 year-old kid breaking into an attached garage or a person who was a lookout for somebody who was breaking into somebody's house, shouldn't have the option of having the probation. So, for those reasons, I would ask for your support in this Amendment, and I would ask for a Roll Call."

Speaker Matijevich: "Representative Cullerton has moved the adoption of Amendment #20 to Senate Bill 546. Is that Representative Rhem seeking attention? Yes, Representative Rhem."

Rhem: "Yeah, would the Sponsor yield for a question?"

Speaker Matijevich: "Oh, alright."

Rhem: "Representative Cullerton, on the five year probation for a first offense. Now, let's use your example of a 17 year-old youngster. When he becomes, say, twenty and he's looking for a job, that probation can kind of hurt him in

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

getting a job. I think it maybe... maybe three years. Maybe we ought to reduce that down some."

Cullerton: "Oh, no, no. The current law says that you can get up to five years probation as a sentence."

Rhem: "Oh, up to."

Cullerton: "Right, up to five years probation as a sentence. What I'm saying is - and that's a good point. Rather than have... This 17 year-old is going to have a conviction. He's going to have a felony conviction, but he's going to be in a position, working with a probation officer, and we shortly are going to augment these probation officers, giving them more money so they can do a better job of helping this 17 year-old find a job, if he's out of work, instead of putting him in Joliet where he's just going to learn how to be a hardened criminal. So..."

Rhem: "It's up to though?"

Cullerton: "That's correct."

Rhem: "Okay."

Speaker Matijevich: "Representative Davis... Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I was always taught, and I believe very firmly that a man's house is his castle; and, when somebody breaks into it, he's committing a very serious crime. I don't know if you have ever had your house ransacked or not; but, if you have never ever been around one of these deals and see what damage some of these people do, then I think you'd be voting against this Amendment. The thing that... Incidentally, I want a Roll Call on this, Mr. Speaker."

Speaker Matijevich: "You'll get one."

Friedrich: "Now, the other thing I want to mention is that since we passed this law, there has been a real decline in residential burglary. If you don't think it pays to lock

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

them up and they know what the penalty is, then you are mistaken. Let's don't get soft on this thing. A man's house is his castle. If you want your home broken into, go ahead. I don't want mine broken into. I don't want yours broken into, and I don't want my neighbor's broken into. And when it is broken into, I want the guy locked up."

Speaker Matijevich: "Representative Bastert."

Hastert: "Thank you, Mr. Chairman (sic- Speaker) and Ladies and Gentlemen of the House. The previous speaker and the Sponsor of this Amendment from the other side of the aisle made an allusion to the Spcnor of the Bill in this House. I was the Cosponsor of the Bill in this House. I didn't use it for a campaign commercial. I used it for some very good reasons. I cosponsored that Bill because I had people in my district, people who were senior citizens, people who lived in the country, people who lived in subdivisions and people who lived in cities said that they were damn sick and tired of having people break into their homes, assault their persons and be... go back and... and be turned out by the courts time, and, time, and time after time. People told me two years ago that they were sick and tired of this, that they thought it was time that we started to put people behind bars, that they thought it was time to start sticking to our guns, if you want to use that term. I think it's still time to do that. In my district, we've had a decline in home invasions and burglaries in rural areas. We've had declines in subdivisions outside of cities. We've had declines, not because it's so much of a threat, but because the people who were finally caught doing this offense had done it ten times and fourteen times and twenty times before they were ever apprehended. It was those people who we put behind bars. I'm asking..."

Speaker Matijevich: "Gentleman from Cook... Are you through? The

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Gentleman from Cook, Representative Kulas. I'm sorry."

Hastert: "I'm asking that you consider this vote very, very closely. I think it's an important vote. I think it's an important law and order vote, if you want to use that term. But I think we ought to keep that provision in our statutes and ask for a defeat of this Amendment."

Speaker Matijevich: "Gentleman from Cook, Representative Kulas."

Kulas: "I move the previous question."

Speaker Matijevich: "Representative Kulas moves the previous question. All in favor say 'aye', opposed 'nay', and the previous question is put. Representative Cullerton to close."

Cullerton: "Yes, thank you, Mr. Speaker. I was hoping that we could debate this in a rational manner, and I think that, hopefully, for most people in the House, they will consider what I had to say. There has not been a decline in the number of residential burglaries. There has been a decline in the number of convictions. That's how you tell what the... that's...those are the records. How many convictions are there? There's been a decline in the convictions. That's my point. There's been a decline in the convictions, because we are tying the hands of the Judge and we are limiting their options. They have no other option but to find someone not guilty. If someone's at home when someone breaks into their house, that's a Class X felony. That's home invasion. We are not talking about breaking into someone's home and terrorizing them. That is a Class X felony. It's not probationable. What we are saying is this Amendment will result in more convictions, and it will result in saving the taxpayers five million dollars. I think that everybody in our district's concerned about saving money, and I think they are concerned about having more convictions for residential

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

burglars. That's what this Amendment is all about."

Speaker Matijevich: "Representative Cullerton has moved for the adoption of Amendment #20 to Senate Bill 546. Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Hawkinson, a minute to explain his vote."

Hawkinson: "Thank you, Mr. Speaker. Contrary to what the prior speaker has indicated to you, convictions are not down. The people are happy that we made residential burglary non-probationable. The State's Attorney of Cook County, a Democrat, has issued an alternative report to the final report of the Governor's Task Force in which he outlines, regarding residential burglary, that between the months of April and June of this year in a hundred percent of the eighty residential burglary convictions, in all of those cases, the defendant gained entry to the home himself and not to some garage or an adjoining structure, that eighty-one percent of those convicted had at least one prior adult felony conviction, fifty-eight percent two prior, and twenty-seven percent four or more prior adult felony convictions. This is a useful tool for prosecutors and you ought to defeat it."

Speaker Matijevich: "Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 25 'ayes', 69 'nays', 4 answering 'present', and the Motion is declared lost. Further Amendments?"

Clerk Leone: "Floor Amendment #21, Cullerton, amends Senate Bill 546 as amended."

Speaker Matijevich: "Representative Cullerton, Gentleman from Cook."

Cullerton: "Thank you, Mr. Speaker. This Amendment makes all Class 1 felonies non-probationable. This is one where you can all really beat your chest and say that you are law and

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

order, and that... this particular Amendment makes all..."

Speaker Matijevich: "Gentleman from DeWitt, Representative Vinson, for what purpose do you rise?"

Vinson: "Mr. Speaker, has the Amendment been printed and distributed?"

Speaker Matijevich: "I'm checking. Has it been? Yes. Evidently, you'll have to fire your Pages. It's been distributed. Representative Davis, for what purpose do you rise? Representative Davis, for what reason do you rise?"

Davis: "To address the Amendment, if it's the proper time, Mr. Speaker. We'll give John a little ammunition. Obviously, the Amendment is designed, in my opinion, frivolously to prove a point on the previous Amendment, and maybe he has a good idea here. I don't know, but I can tell you practically what will occur. If this Amendment should be adopted, we will be here until Monday, because the Senate will not concur in this Amendment, nor would they have concurred in the last Amendment. The Chairman of the Judiciary Committee and the Spokesman of the Senate have both been over here within the last thirty minutes to tell me that. Now, this Amendment should be roundly defeated because I... or withdrawn. I think Representative Cullerton wants to make a point, and, if he wishes to do that in closing after my remarks, I suppose we've set that up for him. So go right ahead."

Speaker Matijevich: "I... I'll bet you'd hate... I'll bet you'd hate to see this one come to a Roll Call. Representative Van Duyn."

Van Duyn: "That... that was my point, Sir. Thank you."

Speaker Matijevich: "Representative Cullerton to close. Oh, Representative Brummer."

Brummer: "Yes, before... before we take a vote, I think everybody ought to be aware of what Representative Cullerton is

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBAIE

88th Legislative Day

November 4, 1983

advocating. Some crimes that are currently probationable, and he is indicating they should not be subject to probation. For example, currently, indecent liberties with a child is a probationable crime. He is suggesting that it should not be subject to probation. Now, we just decided that residential burglary should not be subject to probation. I would respectfully suggest indecent liberties with a child is a more serious offense and should not be subject to... subject to probation. Child pornography involving minors of less than sixteen years old is currently a probationable item. I would suggest that it should not be. Armed violence with a Category 2 weapon is currently subject to probation. It probably should not. You can commit residential burglary without even being armed, and we just decided that that should not be subject to probation. If that should not be subject to probation, I would suggest that these Class 1 felonies here should not also. And to be consistent, everyone who voted red on the last time should vote green on this vote."

Speaker Matijevich: "The question is, 'Shall Amendment #... oh, Representative Cullerton to close."

Cullerton: "Mr. Speaker, Representative Brunner has convinced me, and Representative Davis has convinced me that this Amendment has a very good chance of passage. For that reason, I would ask to withdraw it."

Speaker Matijevich: "I was... I was going to voice vote you down anyway, John. Further Amendments?"

Clerk Leone: "Floor Amendment #22, Brunsvold - DeJaegher, amends Senate Bill 546 as amended."

Speaker Matijevich: "Amendment #22, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Members of the House, Amendment #22 would allow the state to enter into agreements with private individuals, partnerships or

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

corporations for the construction, remodel or converting of structures that are serving as mental health facilities."

Speaker Matijevich: "One moment. Representative Davis, for what purpose do you seek recognition?"

Davis: "Well, I would ask for a ruling of the Chair on the germaneness of this Amendment to the subject at hand, Mr. Speaker."

Speaker Matijevich: "We'll be at ease for a moment."

Brunsvold: "Mr. Speaker."

Speaker Matijevich: "Proceed."

Brunsvold: "I believe Amendment #17 deals with leasing of facilities for Corrections, and this is in the same vein."

Speaker Matijevich: "Representative Vinson, in the opinion of the Chair, the Amendment is not germane, and you are correct in your parliamentary inquiry. Further Amendments?"

Clerk Leone: "Floor Amendment #23, Greiman, amends Senate Bill 546 as amended."

Speaker Matijevich: "Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. In the drafting of the Bill, the... there was reference to quarterly reports, but only three dates were put down. Amendment 23 just adds the fourth date of April 1st."

Speaker Matijevich: "Representative Greiman has moved for the adoption of Amendment #23. All in favor say 'aye', opposed 'nay', and Amendment #23 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Read the Bill."

Clerk Leone: "Senate Bill 546, a Bill for an Act to amend Sections of an Act in relationship to criminal identification and investigation. Third Reading of the Bill."

Speaker Matijevich: "Gentleman from Will, Representative Davis,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1963

on Senate Bill 546."

Davis: "Well, thank you, Mr. Speaker, Ladies and Gentlemen. I think..."

Speaker Matijevich: "One moment. Representative Jaffe, for what purpose do you rise?"

Jaffe: "A parliamentary inquiry, Mr. Speaker. How did this get onto Third Reading? I mean we... we have to keep it on Second Reading for one day."

Speaker Matijevich: "No, we don't."

Jaffe: "Sure we do. The Constitution says that you have to, Mr. Speaker."

Speaker Matijevich: "What the rules say, Representative Jerry... Jaffe, is when a Bill is on Third Reading and brought back to Second for the adoption of Amendments, then you have to wait for the third day. The Bill had been read a second time on another day. So this is that third separate day that the Constitution calls for, and we are now in order in proceeding with the Bill. I think your Parliamentarian, Representative Pierce, has said that's correct, too, right?"

Jaffe: "As a matter of fact, Representative Pierce says that's not correct. But let me ask you this, Mr. Speaker. First of all, when was it read a second day?" Speaker Matijevich: "We'll find out."

Jaffe: "And in addition to that, since we did adopt Amendments on this particular Bill, Mr. Speaker, I think the rules also provide that it has to remain on our desks for a while, does it not?"

Speaker Matijevich: "No, you're wrong. Representative Davis."

Davis: "Well, Mr. Speaker, if that be the case, and I believe it to be, that Representative Jaffe may be right, and the Parliamentarian can tell us, then I would move to waive the appropriate rules for immediate consideration on Third

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Reading of Senate Bill 546."

Speaker Matijevich: "Well, the Chair is ruling that Representative Jaffe is not correct, and we shall proceed now to the Bill on Third Reading. Representative Davis, and by the way, it was read November 1st. Proceed."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen... I believe that was Tuesday, what I told Mr. Jaffe. But notwithstanding that, we've all debated the Bill thoroughly. I think everybody understands what's in it. The key provision that is in it is the fifty square foot elimination to allow double-celling at the newer institutions, Hillsboro or Graham Center in particular, and the newer ones that are being converted and coming on line to ease the overcrowding situation in the state at this particular point and in the near term. So I just solicit your 'aye' vote and will answer any questions. I doubt there should be any at this point in time. The Senate awaits the Bill. I think it's their last order of item, and we have their last business right here on Supplemental Calendar. So I move for the adoption of Senate Bill 546."

Speaker Matijevich: "Just to clear up, I didn't know if the Clerk did read it the third time just a moment ago. The Clerk will read the Bill so we're definitely sure."

Clerk Leone: "Senate Bill 546, a Bill for an Act in relationship to criminal justice and correctional facilities. Third Reading of the Bill."

Speaker Matijevich: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House, you know, once again we are taking a very serious problem, and we are attacking it in absolutely the wrong way. All that we are doing is... Let's not kid ourselves. We're not going to solve the prison crisis with this particular Bill. This Bill is really laughable. All that we are going to ensure

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

with this Bill is we're going to ensure that the Federal Court takes over the penal system in the State of Illinois. And if you don't think that's going to happen, just pass this Bill and wait a couple of months. First of all, it eliminates the fifty foot requirement per person, which is absolutely bad. I think it's unconstitutional, and the courts will so find. I think the notice requirement is a bad requirement. The post-conviction petition Amendment is a bad Amendment. It's an Amendment that couldn't get out of this House previously, and you are putting it onto this particular Bill. You know, it's sort of interesting that the Governor appoints task forces, and yet he never follows the advice of his task forces. He did the same thing with his task force with regard to taxes, if you remember. And now, he appoints a task force headed by Peter Eensinger and they come out with a bunch of recommendations which are, indeed, good recommendations. But does the Governor follow that? No, he doesn't follow it. Of course not, because he's afraid of the people and he's afraid to do the right thing. So, instead we get a bunch of garbage like this. And again, he does not follow those task force. So, instead of following those recommendations, we are going to pass out a piece of legislation that at best is meaningless, and at worst will mean that the Federal Courts take over the Illinois penitentiaries. You may pass this Bill, and you may go home and think that you've done a marvelous job, but wait a couple of months. You'll find out that you really didn't. And, Mr. Speaker, if the vote is close, I wish you would recognize me so I can verify the Roll Call."

Speaker Matijevich: "How close do you need it?"

Jaffe: "Call on me, and I'll tell you how close I think it is."

Speaker Matijevich: "There being no further discussion, the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

question is, 'Shall Senate Bill 546 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Final passage requires Three-Fifths Majority. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 94 'ayes', 11 'nays', 2 answering 'present'. Is that close enough, Aaron? And this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. On House Calendar Supplemental #2, on the Order of Concurrence, the first two Bills require the Rules Committee to meet, which will meet shortly to rule on the... vote on the exemptions. So we will proceed to House Bill 1613. Gentleman from Cook, Representative Cullerton on House Bill 1613."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. By way of explanation of the Senate Amendment, it totally rewrites the Bill. Internal Revenue Code and the regulations they issue provide that a state's total allocation of mortgage revenue bond issuing authority for single-family homes be allocated according to a certain formula. The State of Illinois is in a unique situation in that the state's total allocation is divided among the state's housing authority, home rule issuers and non-home rule issuers. Under the regulations, the allocation among those three types must be made according to mortgage activity. However, the regulations also permit a State Legislature to create a different method, a method other than mortgage lending activity to determine the allocation of mortgage revenue bond authority. What this Amendment would do would be to amend the Illinois Housing Development Authority Act to provide that mortgage revenue bond authority would be allocated among the above mentioned three classes of bond issuers based on population rather

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

than mortgage lending activity. The past allocations of bonding authority based on mortgage lending activity have resulted in small allocations to home rule and non-home rule users, and it was not economical for these people to issue these mortgage revenue bonds for single-family purposes. This Amendment would alleviate this problem by making the determination a simple mathematical calculation. For that reason, I would move to concur with the Senate Amendment. Be happy to answer any questions."

Speaker Matijevich: "Representative Cullerton has moved that Senate... that the House concur with Senate Amendment #1 to House Bill 1613. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I rise in support of the Gentleman's Motion in regard to House Bill 1613. I would point out that, for anybody who has any concern, that it only deals with the single-family residential issue. It's a good Bill. We ought to vote 'yes'."

Speaker Matijevich: "Representative Wyvetter Younge."

Younge: "Would you explain once again the effect of the difference in changing the formula? In other words, I'd like to know the effect of it. In what communities, so far as the eligibility is concerned, would the single-family houses be going."

Cullerton: "No, it doesn't change the eligibility. It just would give home rule and non-home rule issuers a greater amount of money to lend out to the single-family homes. It would, in effect, take more money away from IHDA and give it to the home rule and non-home rule units like your local community."

Speaker Matijevich: "Representative Brummer."

Brummer: "Yes, does this Bill increase the amount of bonds authorized statewide?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Cullerton: "No, interest, no."

Brummer: "So that when you increase the authorization to one area, you, obviously, of necessity, decrease the amount of bonding that can be issued in another area."

Cullerton: "That's correct... the person..."

Brummer: "Who will be the winners and the losers on the..."

Cullerton: "IHDA is in support of this Bill, and IHFA is going to have less authorization. There will be more authorization for home rule and non-home rule issuers. When you use mortgage activity, mortgage lending activity as the criteria to determine the allocation, it doesn't result in a fair distribution. It results in so little money being available to the small home rule units to lend that they don't... it's uneconomical for them to do it."

Brummer: "Would it increase the amount of bonding to the City of Chicago, for example?"

Cullerton: "No... well, yes. It would... it would increase the amount available to the City of Chicago and decrease the amount that's available for IHDA. But keep in mind, IHDA is the one that wants this... this change."

Brummer: "Well, on the bottom analysis, bottom line though would be that if it increases the amount available in the City of Chicago, for example, it would decrease the amount available throughout certain other areas of the state."

Cullerton: "It decreases, as I've said before, it decreases the amount available to IHDA. There's a situation in Illinois where, pursuant to Federal statute, that allows this total state allocation to be divided among the housing authority and home rule issuers and non-home rule issuers."

Brummer: "My question only required a yes or no answer."

Cullerton: "Oh, I don't think so. I think your question required a detailed explanation..."

Brummer: "Well, there's a statewide limit and increases the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

amount available to Chicago. It obviously, of necessity, decreases the amount available in other areas of the state."

Cullerton: "No, it decreases the amount available to IHDA."

Brummer: "Which issues bonds to other areas of the state."

Cullerton: "As well as Chicago. That's right."

Brummer: "I understand that."

Speaker Matijevich: "Representative Cullerton to close."

Cullerton: "I would ask for a favorable vote."

Speaker Matijevich: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1613?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Final action requires three-fifths vote. Have all voted? Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 87 'ayes'... Karpel 'aye'. Hastert 'aye'. Ryder 'aye'. 90 'ayes', 7 'nays', 2 answering 'present', and the House does concur with Senate Amendment #1 to House Bill 1613. And this Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. House Bill 1639 has to go to Rules Committee. House Bill 2100, Representative Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2100, the effect of Senate Amendment #1 deletes everything after the enacting clause. It increases the total capital bond authorization by 27,720,388. Authorization in the Corrections category is increased by 40,511,400 dollars to accommodate for the new prison facilities. Various other authorization categories are reduced by 12,791,012. This reduction is possible because the Governor's veto of various Fiscal Year '84 capital projects. The final authorization level adjustments are adequate for all current capital appropriations. I would

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

appreciate an 'aye' vote, Mr. Speaker."

Speaker Matijevich: "Representative Barnes has moved that the House concur with Senate Amendment #1 to House Bill 2100.

On that, Representative Hawkinson."

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

Speaker Matijevich: "She indicates she will."

Hawkinson: "Representative, you indicated there were some decreases in Capital Development Authority in other areas?"

Barnes: "Yes."

Hawkinson: "Are any of those decreases in the area of mental health?"

Barnes: "No, Representative."

Hawkinson: "Thank you very much."

Speaker Matijevich: "Representative Cullerton."

Cullerton: "Yes, will the Lady yield?"

Speaker Matijevich: "She indicates she will."

Cullerton: "Is this the Bill to build more prisons?"

Speaker Matijevich: "One moment, Representative Greiman in the Chair."

Barnes: "I'm going to take this out of the record, Mr. Speaker."

Speaker Greiman: "Ms. Barnes, did you want to take that Bill out of the record at this time? Alright, we'll take it out of the record for the moment and come back. On the Order of Concurrences, House Calendar... Supplemental House Calendar 2, appears House Bill 2281. The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, I move to concur with Senate Amendment #1 to House Bill 2281. This Amendment would provide that corporate officers and agents can be penalized for refusing to allow any shareholder to examine books and records of accounts and minutes. The Bill is the major revision to the Business Corporation Act, and the Senate Amendment is acceptable to the House Sponsors, and I would move to

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

concur."

Speaker Greiman: "Gentleman from Cook, Mr. Madigan, moves to concur with Senate Amendment 1 to House Bill 2281. And on that is there any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2281?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this... on this Bill there are 99 voting 'yes', none voting 'no', 4 voting 'present', and the House, having concurred in Senate Amendment #1 to House Bill 2281, this Bill is hereby declared passed. For what purpose does the Gentleman from Cook, Mr. Matijevich, seek recognition... Gentleman from Lake, Mr. Matijevich, seek recognition?"

Matijevich: "Mr. Speaker, I would ask leave that the appropriate rule be suspended so that the Rules Committee can meet in the Speaker's conference room while the Assembly is in Session, and that the posting notice be suspended for these three Bills: House Bill 1319, House Bill 1939 and House Bill 1130, and that the House Rules Committee meet immediately in the Speaker's conference room."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, asks leave for a meeting of the Rules Committee to be heard while the House remains in Session to consider House Bill 1319, House Bill 1939, House Bill 1130. Does the Gentleman have leave? Leave is hereby granted, Mr. Matijevich. Still on the... I just was declaring House Bill 2281. Leave to record Representative Daniels as 'aye'. The Gentleman has leave. And Mrs. Wojcik also 'aye'. On the Order of Concurrence, House Calendar Supplemental 2, appears House Bill 2309. Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen, I move to concur in

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Senate Amendment #1 to House Bill 2309. This Bill incorporates certain changes to the economic recovery legislation which was embodied in House Bill 2290 as passed during the Spring Session and signed by the Governor. This particular Amendment contains technical changes requested by the Governor. Number one, it changes the loan amortization provisions. It allows fees to venture capital pool managers. It clears up a question concerning appropriations to the old industrial... Illinois Industrial Development Authority, and it makes various other clarifying and technical changes. I move to concur in Senate Amendment #1."

Speaker Greiman: "Gentleman from Cook, Mr. Madigan, moves to concur with Senate Amendment #1 to House Bill 2309. On that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2309?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. And this needs 71 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this there are 93 voting 'aye', 1 voting 'no', 13 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 2309. And the Bill is hereby declared passed. On the Order of Concurrence, House Calendar Supplemental #2, appears House Bill 2313. On that, the Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 2313 takes the state a small second step forward in terms of organizing a 1992 World's Fair in the City of Chicago. As you know, the Bureau of International Expositions has given Chicago authority to operate a world class World's Fair in that year. The Authority we created last year, under the terms of Senate Amendments 1, 2 and 3

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

to House Bill 2313, would add some flesh to the skeleton we created last year. The Authority would have its powers limited to the County of Cook, would be authorized to impose a one percent hotel-motel tax only within the boundaries of Cook County, which tax would automatically die as of July 1st, 1984. The Authority would be permitted to engage in intergovernmental cooperation agreements with the City of Chicago and with the State of Illinois. The three Amendments together, I think, as I say, would offer a small second step, and I would appreciate your support for concurrence to Senate Amendments 1, 2 and 3 to House Bill 2313."

Speaker Greiman: "The Lady from Cook moves that the House concur in Senate Amendments 1, 2 and 3 to House Bill 2313. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will she yield for a question?"

Speaker Greiman: "She indicates she will yield for a question."

Cullerton: "Who makes up the Authority?"

Currie: "The Authority is, under the legislation we created last year, comprised of twenty-five people, twelve each appointed by the Governor and the Mayor, the twenty-fifth to be appointed jointly by the two. Amendment #... Senate Amendment 1 would expand the membership to twenty-seven people. The appointments have been made."

Cullerton: "And this is a county-wide task, correct?"

Currie: "County-wide."

Cullerton: "Does the County Board have any input in determining how the money is spent?"

Currie: "This legislation would give authority to the World's Fair Authority to impose that tax, but the tax self-destructs July 1st, 1984."

Cullerton: "Fine. Thank you."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Greiman: "Further discussion? Gentleman from Lake, Mr. Pierce."

Pierce: "Will the Lady yield to a question?"

Speaker Greiman: "She indicates that she will."

Pierce: "The Women's Committee on the World's Fair, which I'm sure you follow closely, headed by Representative, former Representative Catania, indicated that for women to serve on the Board, they'd like to have some salaries and some money, because you don't have all the wherewithall that men have. Have you provided for any salaries for the Authority members?"

Currie: "Yes, we have. We've provided that up to... Well, the Director may receive compensation not more than 200 dollars per meeting. The annual compensation cannot exceed 6000 dollars. My understanding is that the Women's Committee is happy that we have made this provision in Senate Amendment 1."

Pierce: "And that's a new provision?"

Currie: "This is a new provision."

Pierce: "Fine, thank you."

Speaker Greiman: "Further discussion? Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker. Will the Lady yield for a question or two?"

Speaker Greiman: "She indicates she will."

Piel: "The makeup of the Authority, I noticed that... could there be a possibility that... alright, first of all, we are collecting the tax county-wide, right?"

Currie: "In this legislation, Representative Piel, all we are doing is authorizing by a two-thirds vote of the World's Fair Authority the imposition of that one percent tax in the County of Cook, the tax to end July 1st, 1984."

Piel: "Is there a possibility that this Board could end up having

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

no suburban representation at all, and the tax would be put onto the suburban Cook County?"

Currie: "There is not that possibility since some of the appointees do, in fact, live in the County of Cook."

Piel: "Well, I'm looking at the thing right now, and it says thirteen appointed by the Governor, but it doesn't have anything to say whatsoever as far as suburban Cook County. So, technically, the Governor and the Mayor could end up making all their appointments from the City, correct?"

Currie: "Technically, that may be true. In fact, they have not. I have the list of appointees. I would be happy to share them with you."

Piel: "Does this also... does this also have provisions in there as far as a collective bargaining agreement?"

Currie: "The Bill permits the Authority to engage in no long term contracts, no long term relationships whatsoever. It does limit them to the revenues that would be available to them if the... if the Board decides to impose the hotel-motel tax. The total amounts they'll have to dispose of will amount to about two million dollars."

Piel: "You didn't answer my question. I said does this provide for collective bargaining agreements between the Authority and its employees?"

Currie: "It allows them to enter into agreements, and I would assume among the agreements could be collective bargaining agreements."

Piel: "Allows them or provides for them? There is a difference. I mean allowing them and making sure that they have one of them are two... a little bit different situation."

Currie: "This legislation is fairly skeletal, Representative Piel. It does permit the Authority to enter into contracts, to enter into agreements."

Piel: "So there is a collective bargaining agreement clause in

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

there then. Thank you very much."

Currie: "It may, yes."

Speaker Greiman: "Further discussion? The Lady from Kane, Ms. Zwick."

Zwick: "That's okay. Thank you, Mr. Speaker. I'd like to ask the Sponsor a question, please."

Speaker Greiman: "She indicates she'll yield for question."

Zwick: "Thank you. I am just curious, Representative Currie. In what you are proposing for us to vote on right now, the real substantive change that you are addressing is the imposition of the temporary... well, the ability to temporary levy... temporarily levy a hotel tax in Cook County, right?"

Currie: "Yes, and this legislation is well-defined. Some of the powers, authorities and responsibilities of the... of the Board."

Zwick: "Okay. My concern is the powers of the Authority to dispense that money, to spend it on various things, and if there are any limitations on what they can spend it on; and, if they spend it on contractual services, what the bidding procedures are and what the length of the contracts that they would sign might be if they have the authority to commit themselves to longer term financial responsibility, then the authority to raise the money."

Currie: "They do not. The legislation limits their contractual abilities to only those items for which they'll have money in hand. The major item before the Authority will be the environmental impact statement, which is the first actual step preparing for... for the Fair. I should say also that Amendment 3 to House Bill 2313 provides for public hearings with respect to the budget of the Authority, but they do not have long term contractual opportunities or obligations under this Bill."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Zwick: "Okay, but they have a really... can you go any further...

Is there anything in there that limits what they can spend it on?"

Currie: "Well, they can hire necessary employees. They can be sued... they can sue and be sued. They can enter into the intergovernmental cooperation agreement, which I think is really the... probably the key thing that that agreement is due by July 1st, 1984. They cannot incur any obligation except within the amount of funds that will be available to it when the obligations become due. I think that's the real key point. If the amount of money that could be provided, if two-thirds of the members of the Authority impose the tax, the hotel-motel tax in the County of Cook actually happens, we're talking about two million dollars."

Zwick: "Okay. One last question that... it is probably not directly related to that last issue, but that I have been curious about, is now that we have the appointments to the World's Fair Authority, I was wondering as to the... their terms in office. Are they all permanently appointed for the life of the Authority? Is there power to remove, and where does that power lay, and is there power to reappoint?"

Currie: "As in the statute that we adopted a year ago, the appointments are permanent. But, of course, the Fair itself is over in 1993."

Zwick: "Okay, would the power to appoint be the power to remove..."

Currie: "... the Authority itself can axe a member by two-thirds vote, and certainly if somebody resigns from the Authority, the appointing power will revert to the individual who appointed that person in the first place."

Zwick: "Okay."

Currie: "But the term is at the... is for the..."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Zwick: "For the life."

Currie: "...for the life of the Authority, and there is the provision that two-thirds of the members may fire one of the other members."

Zwick: "Okay. Does the person who appointed a member... is the power to appoint also the power to remove, so that the appointing person can also remove..."

Currie: "No, it is not, but the power to appoint is in the event of a vacancy, also the power to reappoint."

Zwick: "Okay. Is there anything in this Bill that concerns McCormick Place at all?"

Currie: "No."

Zwick: "Thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 2313?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. This is final action. 71... Have all voted who wish? Mr. Bowman to explain his vote."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I see that people seem to be reluctant to put their votes on the board, but, indeed, I believe that as Representative Currie pointed out, this particular piece of legislation is skeletal. It only has barely more details in it than the legislation we passed last spring. I think it is a very tentative step, a halting step, but one that needs to be taken if we are ever to fulfill the promise of having a World's Fair in this state in 1992. I think a lot of people would like to see a World's Fair here. They may have concerns, as I do, about the terms on which that Fair will take place and the conditions that will be imposed on the state and so forth. I share these concerns, but unless we keep the process moving along, we will be guaranteed

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

that there will be no World's Fair at all. And I think that we would not want to, at this early stage in the game, take that position. I don't think any of us want to say now that there shall be no World's Fair until we have had a chance to look at the alternatives that will be presented to us and make some policy choices. So, I plead with you now to consider this legislation and to keep the World's Fair idea alive until we can take further action next spring."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this... On this Bill there are 77 voting 'aye', 23 voting 'no', 9 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed, and the House does concur in Senate Amendments 1, 2 and 3 to House Bill 2313. On the Order of House Calendar Supplemental #2, Concurrences... Mr. Matijevich, Gentleman from Lake, has the Rules Committee met with respect to House Bills 1319, 1939 and 1130?"

Matijevich: "Yes, Sir, and they have voted unanimously to exempt those Bills."

Speaker Greiman: "So that it is the report of the Chairman of the Rules Committee that the Rules Committee has met, and House Bills 1319, 1939 and 1130 have been declared exempt. Is that correct? Good. Accordingly, on the House Calendar, Supplemental #2, Order of Concurrence appears House Bill 1130. The Gentleman from Cook, Mr. Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendments #1 and #2 to House Bill 1130."

Speaker Greiman: "Gentleman from Cook, Mr. Nash, moves that the House concur with Senate Amendments 1 and 2 to House Bill 1130. And on that, is there any discussion? The Lady from

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

DuPage, Ms. Karpiel."

Karpiel: "Yes, thank you, Mr. Speaker. Representative Nash, are you... you proposing this? Alright, thank you. I just have a question just, you know, out of curiosity..."

Speaker Greiman: "He indicates he'll yield for your question, Ms. Karpiel."

Karpiel: "...curiosity. If I read the Amendment correctly, and my staff is correct, they're taken off... this Amendment takes off one member of the Commission?"

Nash: "Yes, it does, at the request of that member and replaces it with one of the Liquor Control Commission members. One other... the senior member in the Commission Board, Liquor Control Commission Board, other than the Chairman, of the opposite political party of the Chairman."

Karpiel: "Right, but there were three members on this Commission."

Nash: "Yeah, one is a lay member."

Karpiel: "But, after... I realize we are taking off the Secretary of State at his request, and we are replacing... Are there still going to be three members on this Commission?"

Nash: "Yes, yes, there are."

Karpiel: "Oh, okay."

Nash: "The only thing we are doing is we are taking... we're going to have two Commission members on the Board. One will be the Chairman, and the other one would be the senior member of the opposite political party of the Chairman."

Karpiel: "But there will still be three Commission members?"

Nash: "There still will be three."

Karpiel: "Alright, I thought we were going down to two, and I thought this must be a first in history of reducing the number of members in a Commission. Thank you."

Nash: "And Amendment #2 makes an effective date. I move for it's adoption."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Pullen."

Pullen: "Thank you, I'd like to ask a question. Is anybody in charge here? Can I ask a question, please?"

Speaker Greiman: "Yes, please. Indicates that he'll yield for your question."

Pullen: "Thank you. Is... does the original part of the Bill still stand, allowing the sale of liquor in the Chicago Civic Center?"

Nash: "Yes, it does."

Pullen: "Is that the same Civic Center where the Judge was killed a couple of weeks ago?"

Nash: "Yes, it is."

Pullen: "Gee, that's a neat idea. Thank you very much."

Speaker Greiman: "Further discussion? Further discussion? There being none, the question... the question is, 'Shall the House concur in Amendments 1 and 2 to House Bill 1130?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Voting is now open. For what purpose does the Gentleman from Cook, Mr. Vitek, seek recognition? To explain your vote, Sir."

Vitek: "To explain my vote. Thank you, Mr. Speaker. And in answering our good friend over there, Pullen, the man that done the shooting was not drunk. He was sober as the Judge, but he went wild. So don't blame it on the drinking cause. Give us another vote up there."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 74 voting 'aye', 21 voting 'no', 9 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed, and the Senate... and the House does concur in Senate Amendment 1 and 2 to House Bill 1130. On the Order of Concurrences, Supplemental Calendar 2,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

appears House Bill 1319. The Gentleman from Cook... Mr. Clerk... Mr. Keane, were you going to take that?"

Keane: "Thank you, Mr. Chairman... Mr. Speaker. Excuse me. We've asked, since the prime Sponsor isn't here, Representative Curran is the Cosponsor. Had the prime Sponsor been here, we had an agreement that the Audit Commission had a Bill that it wanted to utilize the Bill, and we were... Representative Dwight Friedrich and I were going to become hyphenated Cosponsors. With leave, maybe we could ask that we could present the... explain the Bill, and if Mr... Representative Curran could handle the Bill, we'd appreciate it."

Speaker Greiman: "Alright. So you ask leave to have Representatives Keane and Friedrich added as Cosponsors, and on the Bill, Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would defer to Representative Keane and Representative Friedrich, and if they want to take over at this time."

Speaker Greiman: "Mr. Curran yields to Representative Friedrich to present the Bill. Let's... Someone please present the Bill."

Friedrich: "Mr. Speaker, Members of the House, the St. Louis Community College is the only one fully funded by the state and operate...but it is also the only one that is not under the jurisdiction of the Community College Board. All of the rest of the community colleges are. This Bill, as it's presently structured, just puts that back in the same category as the other community colleges."

Speaker Greiman: "The Gentleman from Marion moves that the House does...do concur in Senate Amendment 1 to House Bill 1319. On that, is there any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

#1 to House Bill 1319?" All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now present... open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 94 voting 'aye', none voting 'no', 4 voting 'present', and the House does concur in Senate Amendment #1 to House Bill 1319. And the Bill is hereby declared passed. On the Order of Concurrence Supplemental Calendar #2 appears Senate... House Bill 1939. The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Central Management Service Bill. I'll just briefly give you the principle elements and then the three Senate Amendments. It clarifies that DCMS has the authority to draft product or service specs, abolishes the requirements that agencies file quarterly and annual reports of purchase of commodities and equipment purchased without bidding. Bidding is not required for the delivery, installation and movement of electronic data processing equipment. And also that, it requires that federally funded printing be subject to the same requirements as other printing. That element of the Bill came out of here on the Consent Calendar May 27th on a 101 to nothing vote. In the Senate, we have three Amendments on which we're seeking a concurrence. Senate Amendment #1 amends exemptions to the requirements for bidding in the Illinois Purchasing Act in the following manners: Number one, part for the repair of equipment need not be subject to bidding; two, all word process equipment shall be in the same nonbid category as data processing equipment. Senate Amendment #2 adds an effective... an immediate effective date. Senate Amendment #3 is the significant Amendment. I'll give you a little bit more detail on it. It spells out those forces

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

that constitute commercial space in the new State of Illinois Building in Chicago will include the subbasement, storage, mezzanine, concourse, ground and second floors. That leasing of that principle area will be worth about 9,000,000 dollars a year in revenue to the State of Illinois. It also permits the Central Management Service to renew commercial leases in the State of Illinois Building at the conclusion of a 15 year lease if deemed in the best interest of the state. That provision is put in there to give some financing leverage to the Palmer Group who are handling this element. I would move for concurrence of the three Senate Amendments to House Bill 1939 and would be happy to answer any questions."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson, moves that the House concur in Senate Amendments 1, 2 and 3 to House Bill 1939. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in...?' Is someone seeking recognition? The Gentleman from Bureau, Mr. Mautino. Sorry, Mr. Mautino, I couldn't see your light. Proceed, Sir."

Mautino: "No, I'm sorry, Mr. Speaker. I was... I had my light on for a point of personal privilege before Representative Olson got into it. I'd like to make the point now, if I may then."

Speaker Greiman: "Proceed, Sir."

Mautino: "It's not on this Bill. On House Bill 2313, which just recently passed, my request would not change the outcome of that Bill. I voted 'no' when, in fact, I was pushing my 'present' button. I would like to ask leave of the House to have my 'no' vote recorded as 'present', because of one provision in here as it pertains to alcoholic beverages, and as you know, I've been voting 'present' on those issues on the sales. So, I'd like to ask leave of the House to do

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

that."

Speaker Greiman: "The Gentleman have leave? The Gentleman has leave. Mr. Leverenz, the Gentleman from Cook, on the Bill."

Leverenz: "Sponsor yield?"

Speaker Greiman: "He indicates he will."

Leverenz: "In your last part of your explanation, you discussed the ability for the state to lease for 15 years? Turn him on."

Olson: "Yes."

Leverenz: "Is this the only building in the state that will then be available for a 15 year lease?"

Olson: "That is correct."

Leverenz: "And one... What is the name of the group that's going to take that 15 year lease?"

Olson: "Called the Palmer Group. I would assume that would be the Palmer House."

Leverenz: "Are they the Palmer House, or is that an assumption?"

Olson: "It's called the Palmer Group. That may be an assumption."

Leverenz: "Will they be... Is there any restaurants there?"

Olson: "I'll just read to you what this Amendment says, 'portions of all of the commercial space which includes the subbasements, storage, mezzanine, concourse, and ground and second floors'. I don't read where they specify restaurants."

Leverenz: "Will they be serving liquor in those restaurants?"

Olson: "I do not have that knowledge. I's not sure they have restaurants there."

Leverenz: "Would they be allowed under current law to serve liquor?"

Olson: "They would be..."

Leverenz: "But the same..."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Olson: "If they had the proper license, of course."

Leverenz: "But some people were complaining about the Civic Center having the same ability to do..."

Olson: "I don't think the Sponsors of this Amendment were those who complained about that."

Leverenz: "What is the current lease length of time?"

Olson: "On this Bill?"

Leverenz: "No, this has 15 years in it."

Olson: "Oh, yeah, this proposal."

Leverenz: "We're raising it from what?"

Olson: "This is a proposal. There's... No lease has been completed as yet. This is a proposal."

Leverenz: "We're giving them the authority for a 15 year lease through CMS."

Olson: "Right. Right."

Leverenz: "What is the current longest length of time Central Management Services can lease for currently? Because what we're saying here, we may lock ourselves into ten dollars a square foot for fifteen years."

Olson: "I'm advised that the current maximum lease length, Representative, is five years."

Leverenz: "Why would we not then have five year with renewable periods of five years like we've had every place else?"

Olson: "I believe that the intention was that for purposes of financing leverage, if they have a 15 year option with a renewal option at that time, it might give them increased leverage financing wise."

Leverenz: "Why would Central Management Services not want to handle the leasing themselves and get the best deal they can?"

Olson: "They do not have a reply."

Leverenz: "Pardon me?"

Olson: "No reply. They said they aren't sure."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Leverenz: "They don't have a reply? Maybe we should take it out until they do. They have a staff of five or six in Chicago just to handle leasing."

Olson: "I'm advised we'll get an answer for you."

Leverenz: "When?"

Olson: "How soon would you like it?"

Leverenz: "Well, let's take it out of the record until we get an answer."

Olson: "I'm prepared... I'm prepared to stay here this evening until we can satisfy you. We'll... We'll take it out of the record and come back to it."

Speaker Greiman: "Alright. The Gentleman asks that it be taken out of the record, and Senate Bill... House Bill 1939 is taken out of the record. On the Order of Concurrence, House Calendar Supplemental 2, appears House Bill 2315. The Gentleman from Cook, Mr. Leverenz. 2315, Mr. Leverenz."

Leverenz: "I hear there are B-52's. On House Bill 2315, I would move that we concur with Senate Amendment #1 which, as I stated on the House floor, we would remove the 2,000,000 dollars for the high tech grants in the Senate. The Amendment does just that. Amendment #2 would add 122,000 dollars. We have plugged this in a number of different times. I understand it is agreed, and I would move to concur in Amendment #2 that adds the 122,000 dollars for the soil surveys and ask for your green light for concurrence."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, has moved that the House concur in Senate Amendments 1 and 2 to House Bill 2315. And on that, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House... to House Bill 2315?' All in favor signify by voting 'aye', those opposed

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

vote 'nay'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take... Mr. Clerk, take the record. On this Bill, there are 91 voting 'aye', 7 voting 'no', none voting 'present', and the House does concur in Senate Amendments 1 and 2 to House Bill 2315. And House Bill 2315 is hereby declared passed. On the Order of Concurrence, Supplemental Calendar 2, appears House Bill 2317. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, as all of you probably know, we've been negotiating for some time to come to some agreement with a... an improved probation system in the State of Illinois. The Senate, by a 51 to nothing vote, adopted Senate Amendments 2 and 3. 3 is only a technical Amendment, but Senate Amendment #2 is the thrust of the Bill, and it does provide a much improved probation system. It is what we call phase one of what Governor Thompson and some of us have been... have made agreement on. And we feel that it... it will so improve the system. Would establish an intensive probation supervision units in the larger counties and provide for additional probation staff, a chief managing officer and also the chief managing officer in each circuit. And the new probation employees will be appointed by the chief circuit Judges, but will have to meet the qualifications and standards as presently stipulated in the rules and regulations of the Administrative Office of the Illinois Courts. The current 400 dollar a month state salary subsidy will be increased to 500 dollars a month to provide counties an incentive to apply for the new programs. What this Bill will do, as it is amended in the Senate, will now mean that the counties, the local probation systems, will be giving a plan to... to the Administrative Office of the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Illinois Courts, and we will also see an intensive probation system which will divert felons from our present prisons. I have said on the floor of the House many, many times that a good probation system is the cheapest alternative to incarceration that we... we have, and I... I commend those who have worked hard on this. I think it's... Frankly, I think it's the best product we've come with in this whole discussion with regards to prison overcrowding. I... I now move that we concur with Senate Amendments #2 and 3 to House Bill 2317 and ask for your support."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, moves that the House concur with Senate Amendment 2 and 3 to House Bill 2317. And on that, is there any discussion? The Lady from DuPage, Ms. Karpziel."

Karpziel: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, I'm concerned about the way that the personnel are going to be hired under this Bill. From the way I'm reading it, very swiftly, because we have not had this Amendment on our desk for an hour, and I have just gotten a chance to look at it, it seems to me that an applicant for this position has to apply both to the Judge of the Circuit Court and also to the Administrative Office of the Illinois Courts... Courts. And then, from there, I don't know how that name gets on this list that is then sent back to the Circuit Court. Could you explain the process of how someone would be hired for this position?"

Matijevich: "The... The reason for that procedure is so that both the Chief Judge of the circuit and the Administrative Office of the Illinois Courts are aware of all the applicants. Because the Chief Judge then, from that list who meet the qualifications that are stipulated in the rules and regulations of the Administrative Office, then

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

can make that appointment. That's the reason for the... duplication as between the Chief Judge and the Administrative Office."

Karpiel: "Well, who actually makes the final decision?"

Matijevich: "The Chief Judge. And the reason being there, that the Chief Judge of the circuit has the responsibility for supervising, and; therefore, we feel and, in fact, in our initial meeting with the... the people in the Administrative Office of the Illinois Courts who came forth with this recommendation for the, quote, 'probation people'. I believe he said he came from Florida, and he said they have one of the best systems in all of the country. And that's how they ran it. The Chief Judge of the Circuits makes the appointment."

Karpiel: "So that if... if I wanted to be a probation officer in a certain circuit, I went to you, the Judge of the Circuit Court. Then you would then turn my name into the Administra... whatever it's called... Administrative Office of the Illinois Courts. And then I would be put on some kind of a lengthy list that would then be sent back to the Judge?"

Matijevich: "You apply with both the Chief Judge of the circuit and the Administrative Office of the Illinois Courts. But then a list is provided of those people who meet the criteria that are under the existing rules and regulations. And then the Chief Judge makes an appointment from that list."

Karpiel: "Alright. So they all would be put on this list. The list would go back, and they would make the final decision."

Matijevich: "That's correct."

Karpiel: "The Chief Judge would make the final decision."

Matijevich: "That's correct."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Karpiel: "Thank you very much."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm. Mr. Klemm."

Klemm: "Will the Sponsor yield, please?"

Speaker Greiman: "Indicates that he will."

Klemm: "Alright. John, thank you. This, I think, is an excellent Bill, but one part of it where probation officers are now going to be considered peace officers, I understand they have the authority to arrest any probationer who is in violation of the law. Will we get a problem with the definition of peace officer in any other part of their authority other than probationers that are in violation?"

Matijevich: "I understand they... they have that authority right now, but it's just not spelled out. We now spell it out."

Klemm: "I was thinking of their title - now called peace officer."

Matijevich: "They are still probation officers."

Klemm: "Okay. They... They're not changing their title. They're just going to be considered as peace officers then according to the Bill."

Matijevich: "That's right."

Klemm: "Alright. They will... Fine. Well, to the Bill then, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Klemm: "I do stand in support of the Bill and do ask for everybody's careful consideration and a favorable vote. Thank you."

Speaker Greiman: "Thank you. The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker. Will the Gentleman yield to a question please?"

Speaker Greiman: "Indicates that he will."

Piel: "John, I'm looking at our analysis here, but it's referring to a... excuse me, a prison diversion plan. Is this...for

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

a Class 3 and Class 4 felons. Is this basically similar to an early release program, or is this just a new catch phrase?"

Matijevich: "Not... Not at all. I think what we're talking about there is the goal of this legislation that by intensive supervision we are diverting felons from incarceration. That's what I gather to mean by... by that provision."

Piel: "Wait a minute. I... The noise level here is quite high, but I'm trying to... Alright. Now, you say, you try and divert felons. In what way? Keeping them from going to prison? Putting them on work release?"

Matijevich: "By... By intensive supervision, we..."

Speaker Greiman: "Give the Gentleman some attention, please."

Matijevich: "And by having good probation officers, trained probation officers, who meet specific criteria, we then, by doing a good job, can divert future felons from entering into our institutions. That's what the goal is by... and that... what I interpret to be the inclusion of that provision."

Piel: "In other words, you're not basically talking about people who should be in prison as such. You're talking about preventing people from going back to prison."

Matijevich: "That's correct."

Piel: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Rock Island, Mr. Brunsvold. Mr. Brunsvold, the Gentleman from Rock Island."

Brunsvold: "The Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will."

Brunsvold: "John, by 1988, there's an anticipated cost of 60,000,000 dollars. Where is that money going to come from?"

Matijevich: "That's... That's out of the Bill. We... We have

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

now, by this, only enacted phase one. That is out of it now, and we... we don't go into the phase two and three that we had initially worked out in our plan, you might say."

Brunsvold: "So... So, this year, we're going to need what - 1.9?"

Matijevich: "About 1.9. That's pretty close."

Brunsvold: "Where will that money..."

Matijevich: "It's a little less than that. It's a little less than that now."

Brunsvold: "Where will that come from?"

Matijevich: "That's going to come from our budget that we just passed and approved."

Brunsvold: "Okay. Thank you."

Speaker Greiman: "Further discussion? The Lady..."

Matijevich: "Hold on. Hold on. We've got to clarify this. Oh, I want to make a clarification of a point earlier on the peace officers status; that we in no way exclude them from the collective bargaining process, if that was any intent of the question. And we thought we ought to clarify that, and Penny Pullen is enjoying this."

Speaker Greiman: "The Lady from Marshall, Mrs. Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for questions?"

Speaker Greiman: "Indicates he will."

Koehler: "Thank you, Representative Matijevich. I see the... a provision of the Bill that you are sponsoring requires that the appropriation be given to the Supreme Court's Division of Probation Services. Now, given the fact that the General Assembly has had some difficulty in the past with regard to the Supreme Court and the expenditure of funds and their reluctance to allow the Auditor General to audit these funds, these funds that are being given to the Supreme Court, will the General Assembly have the right to

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

audit these funds in the future, and will we have any...
any follow up as to how these funds are being expended?"

Speaker Greiman: "Mr. Matijevich."

Matijevich: "Did she ask me a question?"

Speaker Greiman: "Yes."

Matijevich: "I was..."

Speaker Greiman: "Want to succinctly repeat the question, Ms.
Koehler?"

Koehler: "What... Yes. I..."

Matijevich: "I think I heard it with my other ear, as I was..."

Speaker Greiman: "Alright. Go ahead, Mr..."

Matijevich: "As... As I was writing something down. The monies
have to be appropriated by the General Assembly, you know,
so that does not cause a problem. We have to appropriate
in this fashion. There's no other way we can do it."

Koehler: "Well, I realize that we have to appropriate, but will
we have any follow up audit authority?"

Matijevich: "Anything we appropriate is subject to audit."

Koehler: "But the Illinois Supreme Court has been reluctant to
allow the Auditor General to review the... the expenditure
of their funds."

Matijevich: "Judy, I'd like to get into this, but it is unrelated
because what you are talking about is unappropriated funds
that they have not agreed to audit."

Koehler: "Alright."

Matijevich: "These are appropriated funds, and there's no doubt
about it. They're subject to audit."

Koehler: "Alright. Well, that's what I was asking - whether or
not there would be any difficulty with regard to that... to
the auditing."

Matijevich: "No problem."

Koehler: "Thank you."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Flinn: "Mr. Speaker, I move the previous question."

Speaker Greiman: "The Gentleman from St. Clair moves the previous question. All in favor signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, and Mr. Matijevich to close."

Matijevich: "Yes, only in that clarification with regards to peace officers. The reason I made that statement is because these are not sworn peace officers, and that's why they are not excluded from that collective bargaining process. I think we are all aware of what this does. And I say again, it will provide for an improved probation system in Illinois. And I renew my Motion that the House concur with Senate Amendments 2 and 3 to House Bill 2317 and appreciate your favorable support of that Motion. Thank you."

Speaker Greiman: "The question is, 'Shall the House concur in Senate Amendments 2 and 3 to House Bill 2317?' All in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this, there are 82 voting 'aye', 16 voting 'no', 1 voting 'present', and the House does concur in Senate Amendments 2 and 3 to House Bill 2317. On the Order of Concurrence, Supplemental Calendar 3, appears House Bill 2305. Mr. McMaster, the Gentleman from Knox."

McMaster: "Thank you, Mr. Speaker. I would move to nonconcur in Senate Amendment #1 to 2305. We passed 2305 out of the House with the attempt to correct some things that were done on House Bill 860 in regard to county and municipal employees. In the Senate, they put an Amendment on that took any ability to approach the thing on a logical manner as far as the IMRF is concerned. I have the understanding that the Senate has agreed to recede. I've talked to...

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

They haven't? Well..."

Speaker Greiman: "The Gentleman from Knox has moved that the House noncon..."

McMaster: "Well, now, please, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

McMaster: "I just have word that the Senate President has said that he will not call the thing until February. Personally, I would like to have seen the problem corrected for the ability of counties in making their budgets which they must have done by the 1st of December. I don't think we have the votes to concur in the Amendment. I think that the Amendment causes problems; but, if the Senate will not call it, we will leave the counties up in the air then until February."

Speaker Greiman: "So, is it your intention, Sir, to take it out of the record and leave it stand on the Order of Concurrence?"

McMaster: "Well, I would say that we nonconcur, because I know we do not have the votes to concur."

Speaker Greiman: "The Gentleman from Knox..."

McMaster: "Put it on the Senate's shoulders. Let them be responsible."

Speaker Greiman: "Alright. Alright. The Gentleman from Knox moves that the House nonconcur with Senate Amendment 1 to House Bill 2305. All in favor signify by saying 'aye', those opposed... Yes, Mr. Vinson. I'm sorry Sir. Mr. Vinson, for what purpose does the Gentleman from DeWitt seek recognition?"

Vinson: "Mr. Speaker, my Calendar shows that there's Senate Amendments 1 and 2 on this."

Speaker Greiman: "No, my Calendar shows Senate Amendment #1, but let's ask the Clerk. Are you looking at Supplemental #3?"

Vinson: "I... I'm sorry. Go ahead."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Greiman: "May I proceed? Thank you. The Gentleman from Knox moves that the House nonconcur with Senate Amendment 1 to House Bill 2305. All in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the House nonconcur with Senate Amendment #1 to House Bill 2305. On Supplemental Calendar #1 on the Order of Motions appears House Joint Resolution 105. The Gentleman from DuPage, Mr. Daniels. Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, we previously, with leave of the House, moved for immediate consideration of House Joint Resolution 105. There was some question as to the language on the second and third paragraph and as to the intention of the House Resolution. And there is an Amendment, I believe it's Amendment #1, to HJR 105, I think. Has that been distributed?"

Speaker Greiman: "Yes, it's been distributed, Mr. Daniels."

Daniels: "I would move for the adoption of that Amendment."

Speaker Greiman: "Mr. Daniels moves for the adoption of Amendment #1 to House Joint Resolution 105. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt...' Mr. Brummer."

Brummer: "Yes, I wonder if the Gentleman might explain what the Amendment is."

Speaker Greiman: "Mr. Daniels."

Daniels: "The Amendment is a... a correction of some language in paragraphs two and three. And do you have the Amendment there? Would you like us to send you a copy? Could a Page get a copy of the Amendment over to... There's Page Nash over there handing... will hand you one. The Amendment basically says, 'whereas, State Government's ability to address these many problems in the area of corrections is limited by the nature of the information necessary to thoroughly analyze and study the state's prison problem;

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

and whereas, to proceed to consider longer range solutions without necessary information would not be in the best interest of the State of Illinois; now, therefore, be it^a, and it continues on instructing the Legislative Audit Commission to study the Department of Corrections and report back to us. I think we all have very strong feelings that we need to have further information in the area of corrections, that we have worked hard and diligently to receive that information and are somewhat dissatisfied right now in not having received total disclosure as we would like to have. So, this would instruct the Audit Commission to furnish us with the information we want to have."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House adopt Senate... adopt Amendment #1 to House Joint Resolution 105?' All those in favor in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments? None?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Mr... Mr. Daniels on the Resolusion."

Daniels: "This is a Resolution sponsored by Speaker Madigan and myself. Will be handled in the Senate by President Rock and Minority Leader Philip. I'd ask for your favorable consideration and support."

Speaker Greiman: "The Gentleman moves for the adoption of House Joint Resolution 105. On that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates that he will."

Ropp: "Just... Just a brief question, and I, first of all, want to commend the... both sides of the aisle for coming up with a Resolution like this, but in its urgency and severe

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

importance of understanding what is going on in our correctional system, I guess I raise the question as in the Resolution - why it takes three months for the Legislative Audit Commission to come up with adopting what consultants will do the study and only allows them four months to do the study. I guess I kind of feel that if it only takes four months to do the study, all this legislation that we passed this afternoon probably could have gone for naught, and we could have waited four months and found out what was really going on before we passed all this expensive legislation this afternoon. Is... Is there a reason why it takes such a long time just to come up with determining who is going to do the study and will report back so quickly?"

Daniels: "The advertising necessary to conduct a nationwide search for the right people to do the study will take a sufficient amount of time, my staff advises me. In discussing this with the Legislative Audit Commission, they wanted the lead time to prepare the proper kind of study to furnish the information that we need to have to continue to look at the long range solution in corrections. They feel once they get the right staff in place and the right program presented that they can conduct that within a four month period of time."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the House adopt House Joint Resolution 105?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Resolution, there are 93 voting 'aye', 3 voting 'no', 3 voting 'present', and the House does adopt House Joint Resolution 105. The Gentleman from Madison, Mr. McPike, for approval of the Journals."

McPike: "Thank you, Mr. Speaker. I move we dispense with the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

reading of the Journal, that Journal #69 of June 23rd, #70 of June 24th, 71 of June 25th, 72 of June 26th, 73 of June 27th, 74 of June 28th, 75 of June 29th, 76 of June 30th, 77 of July 1st, 78 of July 2nd and 79 of October 5th, 1983 be approved as read."

Speaker Greiman: "... Motion, all those in favor signify by saying... There are no lights. Oh, Mr. Friedrich's light is on. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, under the rules, there is a standing Committee to approve the Journals. We have not met. This is the second time this has happened, and I object to the procedure."

Speaker Greiman: "Mr. McPike, do you want to take that out of the record?"

McPike: "I certainly don't want to read it again."

Speaker Greiman: "Well, perhaps in January it will be a nicer time to do it. On the Order of Concurrence Supplemental Calendar #2 appears House Bill 2100. The Lady from Cook, Ms. Barnes."

Barnes: "Mr. Speaker, all the questions have been answered for House Bill 2100. I explained it thoroughly before. It's the capital bond 'authoration' (sic - authorization) Bill, and I would encourage an 'aye' vote."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, moves that the House concur in Senate Amendments 1 to House Bill 2100. And on that, is there any discussion? The Gentleman from Fulton, Mr. Homer."

Homer: "Will the Sponsor yield?"

Speaker Greiman: "Indicates she will."

Homer: "Representative Barnes, as I understand it, this would authorize an additional 41,000,000 dollars in bonding authority at the Capital Development Board for prisons. Is that correct?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Barnes: "That is correct."

Homer: "And there is a companion Bill that is 2319 that would... that's the appropriation Bill."

Barnes: "That is correct, Representative."

Homer: "And in the appropriation Bill... We haven't taken up that Bill yet have we?"

Barnes: "Not yet, Sir."

Homer: "Alright. That's to follow. And in that appropriation Bill, there is 30,000,000 dollars appropriated for... well, in two categories - two 15,000,000 dollar appropriations for the acquisition for new correctional centers. Is that correct?"

Barnes: "That is correct."

Homer: "And is that for the modular correctional centers that we've been hearing about this week?"

Barnes: "Well, it isn't specified."

Homer: "It isn't? But isn't it contemplated in that appropriation Bill that's that what the purpose would be?"

Barnes: "Yes."

Homer: "And has proper attention been given to the modular prison construction in so far as to the questions of the... the length of service of such a facility, the maintenance costs, the utility costs, the management costs of such a facility?"

Barnes: "Well, the modular facility is supposed to have a life expectancy of 20 years. I do think the other costs that you are speaking of... they would have to be fed no matter where they were. So, I don't think that those are really important. I think those are the same."

Homer: "The... The... You're talking about the management costs, utility costs and maintenance costs? The... It's your understanding those are the same as for conventionally constructed facilities?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Barnes: "Well, they would probably be a little bit higher."

Homer: "Well, to the... to the... to the Amendment or to the Bill."

Speaker Greiman: "Proceed, Mr. Homer."

Homer: "This may well, in fact, turn out to be a very reasonable proposal, but I don't think we know; because, even though the modular prison construction was proposed and discussed during the long summer hearings involving the Governor's Task Force on Prison Crowding, it wasn't until Monday, in so far as I'm aware, that the Governor first proposed that we go with such modular construction. And if there has been a detailed explanation as to what's involved or how it's going to be beneficial, I haven't heard it. And I've been asking the question repeatedly. I'm advised that there are several communities under consideration for the placement of these facilities but given very sketchy information about how that process will take place. We've advanced a notion in a Bill that was passed this week in the Senate in House Bill 2302 which purported to show how such a facility could be developed by the private sector and be done so without any appropriation by the state until the facility was fully constructed and occupied. Now, if there are deficiencies in that proposal, nobody has... nobody has expressed them, and we presented that proposal to the Governor's Task Force which recommended the concept by a vote of 20 to 1. We presented that concept at the request of the Governor to his Bureau of the Budget, and so far, no one has shown how there's any fallacy with the proposal. But yet here today, we're being asked to appropriate a total of 58,000,000 dollars, including 30,000,000 dollars for modular... modular construction facilities when we know hardly anything about them. You know, maybe this is the way to go, but it seems to me that

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

we need to have some time to... to look into this to see if it make sense before we give this kind of authorization. So, I would... I would urge at this time that we oppose this appropriation. I know that we're all anxious to get rid of this prison crisis question, but it seems to me that we ought to at least have some answers before we jump out and spend 58,000,000 dollars. And if those questions have been answered, they certainly haven't been presented to the people I've talked to throughout this chamber."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Lady yield for a question?"

Speaker Greiman: "Indicates she will."

Cullerton: "How many new beds are we going to be providing, prison beds, if we pass this Bill?"

Barnes: "In the companion appropriation Bill of House Bill 2319, there are 3,229,400 for two new housing units at Dwight Correctional Center. One unit will be a 50 bed mental health unit and the other a 50 bed maximum security unit. 3,782,000 for a 168 medium security beds at the Danville Correctional Center. 2,500,000 for planning site acquisition and site preparation for a new 750 medium security bed institution. The site has not yet been announced. And then 30,000,000 dollars for the 1,000 new medium security bed type of facilities."

Cullerton: "Okay. So the two modular correctional facilities, each with 500 bed capacities, it's 30,000,000 dollars - creates 1,000 beds."

Barnes: "That's correct."

Cullerton: "So, it costs the state 30,000 dollars a bed."

Barnes: "Probably around 27,000."

Cullerton: "Well, okay, maybe only 27,000. So when we put somebody in a bed in a prison it costs the state 27,000

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION LIBRARY

88th Legislative Day

November 4, 1983

just to build it. Do you have any idea how much... Do you have any idea much it costs to... per bed to maintain the prison throughout the year?"

Barnes: "Well, it is about 17,000 per prisoner."

Cullerton: "I see."

Barnes: "And it varies."

Cullerton: "Per year."

Barnes: "That is correct, Sir."

Cullerton: "Fine. Thank you very much."

Barnes: "You're welcome."

Speaker Greiman: "Further discussion? The Gentleman from Will, Mr. Van Duynes."

Van Duynes: "Thank you. Thank you, Mr. Speaker. You know, first of all I think I ought to... I ought to say that the Governor and his people have gone a little bit bonkers, or at least to suffice it to say that he thinks he's on a good roll and he might as well make the best of it. When he first started this accelerated building program that I... when I first become aware of it at least, it was 17,000,000 then it progressed to 19,000,000. Then all of... automatically in about two days, it went on to 29,000,000, and now it's almost 58 or 60,000,000. We just went through... At least I've tried to have a Resolution heard here for six months addressing the need for Cell House D in Stateville Penitentiary. A few years ago, they remodeled Cell House E or F - I can't remember which one - for a cost of 3.8 million dollars. The Cell House, itself, holds 244 cells. With double celling, that... that accounts for 488 prisoners. Cell House D is standing there right now with a gaping hole in the side of it, put there purposely by the Department of Corrections, and Director Lane says, in the Joliet paper the other day, 'It has been rendered useless'. And I tell you, it's probably right. The people up there

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

tell me it'll cost 100,000,000 dollars to fix the hole that they put in there themselves in order to expedite the contract that 'Speedway' has signed. And... And I presuming that we'll get a Bill for that - a least half - no matter what happens to Cell House D. There is 488 places that they... that they could remodel for 3.8 or 4 million dollars. They have a new cell house called H that was built to the tune of 14.6 million dollars, and everyone of those cells is occupied by one man. There's 300 more people that could be incorporated into Cell House H. Cell House I is under construction, and you talk about accelerated construction - that thing is moving at a snail's pace. They veritably aren't working on it at all, and yet, the Governor is standing here telling us that, you know, we should accelerate our program. In my... When I went to Texas and went through the Department of Corrections in... in Huntsville, Texas, the prison industry was doing their own building. There's no reason in the world why... that they couldn't engage in the rehabilitation of Cell House D on their own. We have just voted through a Bill today with all kinds of Amendments on it that would provide for double celling. It literally would provide, if this was properly implemented, it would literally provide cell space for thousands and thousands of people. Now Representative Homer has alleged and alluded to the fact that we are just rushing pell-mell into this. We have no knowledge of where the Governor is going to build these things. They're not even going to be permanent construction. They're going to be some type of modular type buildings, which I remember when they built them in 1944 and '45 for the G.I.'s coming home and by the same token, they tore them down in 1954. So, when they... when they allege that these things are for 20 years

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

construction, they are just coming up with some figures. Not to mention Representative Matijevich's baby which he was just successful about minutes ago on the probation system is going to cost us 60,000,000 dollars. This is going to alleviate... the..."

Speaker Greiman: "The Gentleman bring his remarks to a close, please."

Van Dyne: "Well, now wait a minute, Mr... Everybody talks, and I very seldom talk this long, but I'd at least like to get this said. The overcrowding is going to be alleviated by this if that is successful, and that's why we're going to spend 70... 60,000,000 dollars on this over a period of four or five years, not to mention that in the last five years the Department of Corrections Budget has risen. And I want you all to remember this - has risen 74%, and they haven't shown us anything except straight-line, tunnel vision, stubborn application to their own way of thinking. They haven't deviated one time. They haven't given into our wills or our wishes. We fought this in Committee and went out in the Appropriations Committee time, and time, and time and time again. In closing... In closing, and finally, the Governor and even the preceding Governor should be ashamed of themselves as to what they've done to our mental health patients by... using the word 'dewarehousing' and 'deinstitutionalization' of our mental patients and in reality just dumping them flat out on the street with no... I've read about one person that was delivered to downtown Chicago with two and a half dollars in her pocket and didn't even know what hotel she was supposed to go to."

Speaker Greiman: "Mr... The Lady..."

Van Dyne: "Now, if they are willing..."

Speaker Greiman: "Mr. Van Dyne, please your remarks to a close."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Van Dwyne: "If they are willing, if they are really trying, what about the mental health facilities that are going to close? I... Well, I've talked long enough. I think you've got the message. I ask you - defeat it. We're just blowing 40,000,000 dollars and for nothing."

Speaker Greiman: "Lady from Kane, Ms. Deuchler. Turn on Mr. Ropp's microphone for Ms. Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, I... we're getting tired, and it's late. And I just want to ask the Sponsor of the legislation a question, but I also think we also think we better keep this in perspective. Are we, in fact, making a wise decision? 40,000,000 dollars, as the previous speaker has said, is a very serious decision to make at this late date with the information that we have before us. May I ask a question? As far as Manteno and Galesburg, has this been considered as to what the cost would be to rehab these mental institutions versus building new quick prisons?"

Barnes: "The Capital Development Board is sending out survey teams to look into all the sites."

Deuchler: "But what is your opinion? In the meantime, 40,000,000 will be available for the quick prisons. Isn't that correct?"

Barnes: "That is correct. It could be used for renovation, but they have to have the authority to use it."

Deuchler: "So that we may be making a decision that is 20,000,000 dollars in excess of what's actually needed or whatever. We just don't know. Is that correct?"

Speaker Greiman: "Ms. Barnes."

Barnes: "Well, conversion is just as expensive. When we were talking... A previous speaker was speaking about a facility that he felt should be used, when the survey was done on that, the building was so old; that by the time

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

they got through renovating the electricity, the plumbing, the security, it was still a very, very old building, and it was not feasible to dump that kind of money into that type of a building. This is the type of thing that they will be going around and looking into and see where the best sites will be for the money that we are authorizing them to use."

Deuchler: "To the Bill."

Speaker Greiman: "Proceed."

Deuchler: "Just the reminder that our constituents are back there watching what we do and the hope that we do it with enough information to feel that we have done the right thing."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Mr. Speaker, I move the previous question."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, has moved the previous question. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Ms. Barnes to close."

Barnes: "Well, Mr. Speaker, Ladies and Gentlemen of the House, most of the constituency that I have talked to, they're more concerned about early release. They were not concerned about spending a few dollars for the protection of the people in the State of Illinois, and that's what this is all about. And I would suggest an 'aye' vote on House Bill 2100."

Speaker Greiman: "The question is, 'Shall the House concur with Senate Amendment 1 to House Bill 2100?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. The Lady from St. Clair to explain her vote. Yes, Mrs. Younge, the Lady from St. Clair."

Younge: "I am voting 'no' to the proposal to build bigger and new prisons, because there has absolutely been no considerations to the alternatives to prison confinement."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Other states are lessening and lowering their prison population through a number of devices which are working well. One type of device, for example, is the decriminalization of certain victimless crimes like alcoholism. Another type of device is mediation and arbitration facilities in local communities. This has the affect of helping people resolve their disputes in the community, and therefore..."

Speaker Greiman: "One minute, Ms. Younge. Please bring your remarks to a close."

Younge: "... it is not necessary to send people to prison. By sending people to prison, we merely banish them out of our sight. It does not lessen crime. It does not solve crime. And I think that we do ourselves and the people of the State of Illinois a big injustice if we do not consider and study the alternatives to imprisonment. There are..."

Speaker Greiman: "The Gentleman... Excuse me. The Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, there's nobody that believes more strongly in alternatives to incarceration than I do, but the realistic fact is that we have worked together in trying to develop a package with regards to the overcrowding issue. This is part of that package. As responsible Legislators, we should put 71 votes up there; otherwise, we're going to just be here, and be here and be here. So, I would suggest that we get together, put the votes up there, so that instead of being here Saturday, we leave here pretty soon and go home. So, I would suggest we put up the votes."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson, to explain his vote."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would join with Representative Matijeovich in

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

asking for an 'aye' vote on this particular Bill. And I would join with him in that respect, because the Bill has been worked on hard and long, and I believe it is a reasonable Bill. One of the things which some people have objected to are the prefabricated prisons. I believe that's a very reasonable approach to the problem. It's a reasonable approach to the problem, Mr. Speaker, for one critical reason. We don't need to continue to construct dinosaur buildings that last forever when we're dealing with a temporary problem. We overbuilt in mental health. We overbuilt in higher education, and we're living with that now. With this approach, we will not be over building. We will be dealing with prisons that tend to fade out and die about the time that the population that we're dealing with begins to reduce. It's a good approach. It's a reasonable approach. The cost is appropriate. I don't believe anybody in this chamber should want to have on their hands the responsibility for prison riots, the responsibility for the failure to maintain control, law and order in the prison population if this fails and if we cannot provide adequate spacing. I do not believe anybody should want to have a situation where we're dealing with the problem that we simply do not have the space to house violent criminals. That's what our people want us to do. That's what we should do, and that's what we can do if we pass this Bill. I would urge an 'aye' vote on this Bill, because we need the space to lock away violent people."

Speaker Greiman: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Motion to concur with this Amendment to House Bill 2100. I think we should all contemplate on the political realities of this vote. There doesn't seem to be any question but that the prison system is severely

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

overcrowded, and we know from history in other states that when there is severe overcrowding it may lead to severe problems in the system which, unfortunately, might ultimately lead to disturbances inside the prisons themselves. In response to this condition, the Governor has come forward with this proposal. You may disagree with some elements of this, but I have participated in the negotiations for several days. Based upon my participation in those negotiations, I can tell you that this is the best package that will be offered at this time. And if we do not accept this package and if there are disturbances in the prison system, then the question will be put to us as Legislators, 'Why did you not approve what appeared to be a very reasonable program for alleviating a very serious problem of prison overcrowding?' I would simply implore you to consider the political realities of the situation and to cast an 'aye' vote in support of this proposal."

Speaker Greiman: "The Gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you, Mr. Speaker. I'm afraid I don't really understand what's going on here, because we really only have two issues - two choices. One is to vote for House Bill 2100 or to condone early or emergency release. Because if we don't have the institutions for the long term solution, then we're going to have to go to the short term solution which is continued early release. And I don't know about the rest of you, particularly those of you who are voting 'no'. My constituents really don't want early release. I think they would prefer that we build additional institutions. As long as we're going to have determinate sentencing in this state, we're going to continue to send inmates to prison. We're going to have to face up to that responsibility and provide decent housing for them. And the only way to do that is to support House

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Bill 2100. Otherwise, you're going to have to go back and tell your constituents you support early emergency release."

Speaker Greiman: "The Gentleman from Will, Mr. Davis."

Davis: "Well, I see we have the votes, but I'm a little mystified. You know, Representative Winchester's absolutely right. Early release was the alternative in the near term, and you all have to recognize that. Everyone of you in this chamber, I think, has told me you don't want that. You've got to do something in the near term. This will do it. Whether it's right or wrong, it will do something in the near term. There ought to be 90 votes up there. And I can simply tell you that if we don't do this tonight, we will be back again, and again and again until we do it. It's absolutely essential that this Bill and its companion pass. There is no other alternative. We have tracked down everything the law enforcement community, and the state's attorneys and sheriffs wanted, including the proposal for modular housing, double celling. The whole menu mix is there when everybody said they didn't want is out - which was early release. And this is the package you all said, 'Give us an alternative'. Here it is. There ought to be 90 votes up there."

Speaker Greiman: "Have... Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 82 voting 'aye', 22 voting 'no', 4 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence... My goodness. On the Order of Concurrence appears... Supplemental 2 appears House Bill 2319, Ms. Barnes."

Barnes: "Thank you, Mr. Speaker. Mr. Speaker, ladies and Gentlemen of the House, House Bill 2319 is the

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

appropriation, and I do concur to accept the recommendation in Senate Amendment #1. And I had thoroughly explained the bond funding. I would ask for an 'aye' vote."

Speaker Greiman: "The Lady from Cook asks that the House concur with Senate Amendment 1 to House Bill 2319. On that, is there any discussion? The Lady from St. Clair, Ms. Younge."

Younge: "Mr. Speaker, I came to the podium and asked you for a verification of that Roll Call before the Roll Call was over. And you violate my rights as a Member here when you bypass my request as a Member of this House. And I ask you to go back and give me the verification that I asked you for before the vote was over."

Speaker Greiman: "Ms. Younge. We have gone beyond that."

Younge: "That's not fair."

Speaker Greiman: "And I recognized you to speak on this Bill. Thank you. Is there further discussion? There being none, the question is, 'Shall the House concur in Amendment... in Senate Amendment #1 to House Bill 2319?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Alright. The Lady from St. Clair."

Younge: "I want a verification of the damn Roll Call."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels."

Daniels: "Mr. Speaker, we've had a lot of experience in things like this. Would you like a little help?"

Speaker Greiman: "Mr. Daniels, I learned at your feet. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I... I think, you know, I was wrong when I said that we have to pass this and if we don't pass it we'll be here tomorrow. It's going to be worse than that. The Senate has already gone home. We must pass this right now. There's no..."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Fate is here. He's always here working."

Speaker Greiman: "Further discussion?"

Matijevich: "But we must pass this, and I'd appreciate it if you'd roll it."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Braun."

Braun: "Thank you, Mr. Speaker. Everybody's tired, and I'm not going to take long, but the fact of the matter is whether or not the last Bill was declared passed or not is really irrelevant. I think what is most important here is that we have seen a trampling of the Constitution of this state, and the Members' rights and our rules by the declaration of a Bill as having passed when Members are clearly not here, when votes are being pushed for those absent Members when they have not voted. The fact of the matter is that I don't know whether or not we've ever learned from past mistakes but the... but we have seen time and time again in our condemnations of communism and the way that those totalitarian governments work, this is where it starts - when you begin to avoid entirely the process, when you begin to trample Members' objections. These people are all elected by the citizens of this state, and if they have an objection, they ought to be heard. Representative Younge had requested a verification, as had other Members here. I think that it is most unfortunate when we degenerate in this chamber to begin to trample on everything that our... our Constitution stands for just because we have a particular interest in a particular piece of legislation. I think that's unfortunate. I want to voice my objection, and the record should be very clear that though that Bill has been declared passed, that it was done so with ghost voting. And that, I think, is a tragedy for all of us."

Speaker Greiman: "For what purpose does the lady from St. Clair

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

seek recognition?"

Younge: "I want a verification of the Roll Call."

Speaker Greiman: "I haven't declared the... closed the voting switch, but you're within your rights, Ma'am. Have all voted who wish? Have all voted who wish? Mr. Clerk... Yes, the Lady from Cook, Ms. Barnes."

Barnes: "You going to verify the Roll Call?"

Speaker Greiman: "She has asked for a verification."

Barnes: "I would like to poll the absentees."

Speaker Greiman: "We'll poll the absentees, indeed. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 81 voting 'aye', 11 voting 'no', 8 voting 'present'. The Lady from Cook, Ms. Barnes, requests a Poll of the Absentees. Yes, for what purpose does the Gentleman from Cook, Mr. Nash, seek recognition?"

Nash: "Parliamentary inquiry."

Speaker Greiman: "Yes, state your inquiry, Sir."

Nash: "Can the Lady verify? She hasn't voted."

Speaker Greiman: "She's a Member, and she's within her rights, Sir. Mr. Clerk, are we prepared to poll the absentees?"

Clerk Leone: "Poll of the Absentees. Birkinbine..."

Speaker Greiman: "Excuse me. Ms. Koehler 'aye'."

Clerk Leone: "Continuing with a Poll of the Absentees. Birkinbine, Brookins, Bullock, Doyle, John Dunn, Ebbesen, Ewing, Harris, Huff, Jaffe, LeFlore, McAuliffe, Pierce, Preston, Shaw, Steczo, Younge and Yourell."

Speaker Greiman: "Mr. Clerk, verify the Affirmative Roll Call."

Clerk Leone: "Poll of the affirmative. Farger, Barnes, Berrios, Bowman, Breslin, Brummer, Capparelli, Churchill, Cowlshaw, Cullerton, Curran, Currie, Daniels, Davis, Deuchler, Didrickson, DiPrima, Domico, Farley, Flinn, Virginia Frederick, Dwight Friedrich, Giglio, Giorgi, Greiman,

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Hallock, Hannig, Haster, Hawkinson, Hensel, Hicks,
Hoffman, Homer, Karpel, Keane, Klemm, Koehler, Krska,
Kulas, Laurino, Leverenz, Levin, Marzuki, Matijevich,
Mautino, Mays, McMaster, McPike, Mulcahey, Nash, Neff,
Nelson, Oblinger, O'Connell, Olson, Panayotovitch, Pangle,
William Pederson, Piel, Pullen, Rea, Rhem, Richmond, Ronan,
Ropp, Ryder, Slape, Stuffle, Tate, Taylor, Terzich,
Topinka, Vinson, Vitek, Wait, White, Winchester, Wojcik,
Wolf, Woodyard, Zwick and Mr. Speaker."

Speaker Greiman: "Challenges of the Affirmative Roll. The Lady
from St. Clair, Ms. Younge."

Younge: "Thank you, Mr. Speaker. Representative DiPrima."

Speaker Greiman: "Representative DiPrima. Is the Gentleman in
the chamber? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove him from the Roll."

Younge: "Representative Rhem."

Speaker Greiman: "Mr. Rhem. Representative Rhem in the chamber?
Remove Mr. Rhem... How is Mr. Rhem recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove him from the Roll Call."

Younge: "Representative Terzich."

Speaker Greiman: "Is Representative Terzich in the chamber? How
is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove him from the record."

Younge: "Representative Capparelli."

Speaker Greiman: "Representative Capparelli. Is Representative
Capparelli in the chamber? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman from the Roll Call."

Younge: "Representative Topinka."

Speaker Greiman: "Representative Topinka. How is the Lady

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

recorded?"

Clerk Leone: "The Lady is recorded as voting 'aye'."

Speaker Greiman: "Remove her from the Roll Call."

Younge: "Representative Slape."

Speaker Greiman: "Representative Slape. Representative Slape.

Is Mr. Slape in the chamber? How long does it take to get
back from Bond? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman from the Roll."

Younge: "Representative Berrios."

Speaker Greiman: "I'm sorry. Who?"

Younge: "Berrios. Berrios. Berrios."

Speaker Greiman: "Mr. Berrios. Is Mr. Berrios in the chamber?

How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman from the Roll Call."

Younge: "Representative Dunn."

Speaker Greiman: "Which Mr. Dunn were you seeking?"

Younge: "John."

Speaker Greiman: "Pardon?"

Younge: "John."

Speaker Greiman: "Is Representative John Dunn in the chamber?

Not voted."

Younge: "Ralph Dunn."

Speaker Greiman: "Mr. Ralph Dunn. He's right there in his
chair."

Younge: "Okay. Representative Kane (sic - Keane)."

Speaker Greiman: "Mr... Mr. who?"

Younge: "Keane."

Speaker Greiman: "Mr. Keane. Mr. Keane in the chamber? How is
the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman from the Roll Call."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Younger: "Representative Fangle."

Speaker Greiman: "Mr. Fangle, the Gentleman from Kankakee. How is... Is the Gentleman in the chamber? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman."

Younger: "Representative Leverenz."

Speaker Greiman: "Mr. Leverenz is in his chair."

Younger: "Representative Richmond."

Speaker Greiman: "Mr. Richmond. The Gentleman from Jackson, Mr. Richmond. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman from the Roll Call."

Younger: "Representative Stuffle."

Speaker Greiman: "Mr. Stuffle, the Gentleman from Vermilion. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman from the Roll Call."

Younger: "Representative Bowman."

Speaker Greiman: "Representative Bowman. Mr. Bowman. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman from the Roll Call."

Younger: "Representative Laurino."

Speaker Greiman: "The Gentleman from Cook, Mr. Laurino. Is Mr. Laurino in the chamber? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman."

Younger: "Representative Levin."

Speaker Greiman: "Mr. Levin. Is Mr. Levin in the chamber? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Greiman: "Well, we'll remove him from the Roll Call."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Younger: "Representative Marzuki."

Speaker Greiman: "Representative Marzuki is right there in the middle aisle."

Younger: "Representative Ropp."

Speaker Greiman: "Mr. Ropp is right here at the well."

Younger: "Representative Zwick."

Speaker Greiman: "Representative Zwick is in her chair."

Younger: "What is the Roll Call at this point?"

Speaker Greiman: "Mr. Clerk, how close is it? The Gentleman from Kane, Mr. Kirkland, votes 'aye'. Do you have any more, Ms. Younger?"

Younger: "Yes, Representative Hawkinson."

Speaker Greiman: "Who? He's right there."

Younger: "Eurger... Barger."

Speaker Greiman: "In his chair."

Younger: "Yourell... That's alright. Representative Neff. Representative Neff. He's not here. Representative Neff. Take Neff off. Okay, what is the count, Mr. Speaker? Would you de... Did you take Neff off - Representative Neff off? And would you please declare the count please?"

Speaker Greiman: "We'll get you the count. Alright. Mr. Neff in the chamber? How is the Gentleman recorded? Remove the Gentleman."

Clerk Leone: "The Gentleman's recorded as 'aye'."

Speaker Greiman: "Yes, Mr. Demuzio, wanted to go from 'no' to ... Yes, for what purpose does the Gentleman from Cook, Mr. Piel, rise?"

Piel: "Thank you, Mr. Speaker. I was off the floor for a couple minutes. Could you tell me how I'm recorded, please?"

Speaker Greiman: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Piel: "Fine. Thank you very much. Leave it that way."

Speaker Greiman: "Mr. Kirkland has already changed his vote on

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

the floor of the House. He's been... He's been verified.
Yes, Mr. Vitek."

Vitek: "Mr. Speaker, I was in the washroom. Was I taken off?"

Speaker Greiman: "No. They... Yes, the Gentleman from Cook, Mr.
McGann."

McGann: "Well, it's the same thing as this morning, Mr. Speaker.
I don't know what's going on - why I can't be recognized.
It's been on for a long time, but thank you for recognizing
me. I don't know where we're going to get the money next
June to pay for all the monies we expended this evening and
this afternoon, but I'll go along and hopefully we'll get
those monies. You can change my vote to 'aye'."

Speaker Greiman: "Mr. McGann votes 'aye'. Pardon? I'm sorry.
Turn on Mrs. Younge. Yes, Ms. Younge."

Younge: "I had asked you to declare the vote."

Speaker Greiman: "69 at this moment, and there are people who are
seeking recognition. The Gentleman from Hardin, Mr.
Winchester."

Winchester: "How am I recorded, Mr. Speaker?"

Speaker Greiman: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Winchester: "Thank you."

Speaker Greiman: "Alright. Yes, the Lady from Cook, Ms. Currie."

Currie: "How am I recorded, Mr. Speaker?"

Speaker Greiman: "How is Ms. Currie recorded?"

Clerk Leone: "The Lady's recorded as voting 'aye'."

Currie: "Thank you."

Speaker Greiman: "The Gentleman from Peoria, Mr. Tuerk. I'm
sorry. I thought the light was flicking. Yes, the
Gentleman from Knox, Mr. Hawkinson. Mr. Hawkinson, please.
You should be on, Mr. Hawkinson."

Hawkinson: "Mr. Speaker, how am I recorded?"

Speaker Greiman: "How is the Gentleman recorded?"

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Hawkinson: "Thank you, Mr. Speaker."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert, for what purpose do you seek recognition, Sir?"

Hastert: "Mr. Speaker, I've been out of the chamber for a few minutes, and could... I'm not sure if I was knocked off or not. Could you tell me how I'm recorded now?"

Speaker Greiman: "You were not removed from the Roll Call, Sir."

Hastert: "Thank you very much, Mr. Speaker."

Speaker Greiman: "The Gentleman from Effingham, Mr. Brummer, for what purpose do you seek recognition?"

Brummer: "Yes, for the same inquiry. How am I recorded?"

Speaker Greiman: "How is the Gentleman from Effingham, Mr. Brummer, recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Brummer: "Would you please change me to 'no'."

Speaker Greiman: "Mr. Brummer, the Gentleman from Effingham, goes from 'aye' to 'no'. Mr. Flinn, the Gentleman from St. Clair, for what purpose do you seek recognition?"

Flinn: "Well, Mr. Speaker, I've been down to the corner saloon. Was I taken off?"

Speaker Greiman: "The Speaker has great vision, and you were not taken off. The Gentleman from Madison, Mr. Wolf, for what purpose do you seek recognition? Mr. Wolf."

Wolf: "Thank you, Mr. Speaker. I was off the floor for several minutes myself. Would you tell me how I am recorded, please?"

Speaker Greiman: "How is the Gentleman from Madison recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Wolf: "Thank you."

Speaker Greiman: "For what purpose does the Gentleman from Effingham, Mr. Brummer, seek recognition?"

Brummer: "Yes, Mr. Speaker, my advisor, Mark O'Brien, has just

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

shown me the error of my way. Please change my vote to 'aye'."

Speaker Greiman: "Mr. Brummer returns to 'aye'. The Gentleman from Marion, Mr. Dwight Friedrich."

Friedrich: "Mr. Speaker, I want to be sure that I am recorded 'aye', because I don't want to have to come back next week or be responsible for a riot. How am I recorded?"

Speaker Greiman: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Alright. Is that alright, Sir? Alright. The Gentleman from Lake, Mr. Churchill, for what purpose do you seek recognition?"

Churchill: "Mr. Speaker, how am I recorded?"

Speaker Greiman: "How is the Gentleman from Lake, Mr. Churchill, recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Fine. Mr. Keane has returned to the chamber. Return Mr. Keane to the Roll Call. The Gentleman from Rock Island, Mr. Brunsvold, for what purpose do you seek recognition?"

Brunsvold: "Mr. Speaker, I would like to make a short statement why I voted 'present'."

Speaker Greiman: "Proceed, Mr. Brunsvold."

Brunsvold: "I am, like most people in here, would like to keep the prisoners, the law breakers, in jail, and I would support that proposition. However, I called East Moline Correctional Facility, and I can't even get an answer back. And I get upset by that, because I think they should answer. And I sent letters, made inquiries at the Correctional Facility, and I've got very little response. I've had people that have called my office that have been employed there that want me to get their job back, and I did not get them that job. And there at I have voted 'nc'

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

on the appropriation and 'present' on this Bill until the Department of Corrections can convince me that they're going to be more responsive, I'm going to stay on yellow."

Speaker Greiman: "That's what we call a teaser. The Gentleman from DuPage, Mr. Daniels, the Minority Leader."

Daniels: "Mr. Speaker, what... what is the present count right now?"

Speaker Greiman: "I'm advised by the... Well, they're recounting it, so let's wait... hold at ease for a moment until we find out."

Daniels: "Mr. Speaker."

Speaker Greiman: "Yes, Mr. Daniels."

Daniels: "Ladies and Gentlemen of the House, we're tired. You're tired. I'm tired, and the people of the State of Illinois are going to soon be tired if we don't resolve a very important problem. In the Bill before us right now, we not only have the issue of the quick prisons, the two sites that will be selected later in order to solve an overcrowding problem in the state, but we also have two and a half million dollars for planning for a new prison if the state determines that that is necessary, planning that if it's recommended to us, it'll come back to the General Assembly for action. On top of that, we're talking about 168 medium security beds at Danville and two new housing units at Dwight Correctional Center. I can think of no other higher charge and responsibility to the Legislature, sitting as a Body, than to protect the citizens of this state - to protect the citizens from the criminal element that should be and must be incarcerated in proper facilities. Now, I am ashamed to be part of any process that is broken down merely because somebody's nose is bent out of joint over a political problem whether it is Democrat to Democrat, Republican to Republican or Democrat

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

to Demo... or Democrat to Republican. I would ask the Lady that is undergoing this verification process to remember how we have been responsive on several occasions to the Lady's district - to House Bill 541 when the Lady wanted this General Assembly's responsibility and attention to a problem tht she had in her district and how we responded to her. I would ask the Lady to put above her own feelings, the feelings of the people of Illinois, who want, and need and must have the security of their citizens. This Bill hangs in the balance. This Bill is important for the safety of our citizens. And I would make a plea to all of the people on both sides of the aisle, Republican or Democrat, let's join together, as we have so many times, so many times this year, set aside political or partisan differences to deal with a very, very important issue. Join with us and solve this problem, and let's put the 71 votes up there."

Speaker Greiman: "Thank you. With respect to your question, your inquiry, there are 70 affirmative votes. And the Chair recognizes Mr. Turner, the Gentleman from Cook. I'll be with you in a minute, Ms... Ms. Younge. We'll be with you in a minute for your point. Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise very reluctantly to stand up and speak at this time. I'm one who don't have a lot to say, but it appalls me as it did one of my colleagues when he spoke earlier, the fact that we're about to spend money that I'm not sure where it's coming from, when I remember sitting in this very chamber last June and we were talking about a Medicaid cap for poor people in terms of a 500 dollar limit on that. I remember sitting in this chamber when public aid was cut back to 144 a month, and yet, we're ready to throw people in prison, and build more prisons and keep

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

appropriating more monies when... when you can solve the problem before people get to the jail cells. And true, it is getting late. Again, reluctantly, I rise to change my vote from 'present' to 'yes'. And I hope that we keep in mind that prisons and incarceration is not the answer. It is not going to take care of the ills of this state. And until we can do something better from more of a human service... we can... you know, we'll continue to spend, spend and spend. But I will change my vote from 'present' to 'yes'."

Speaker Greiman: "The Gentleman from Cook, Mr. Turner, goes from 'present' to 'yes'. The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker. Tonight I witnessed something that I'm quite pleased with, where a vote does make a difference, where a vote is important. I represent an area that has a prison. That prison was built, and the people in that particular community were informed that the total amount of people that they would have incarcerated in that facility was 250. Today that population figure is now somewhere nearer 700. I can accept, in that locale, prisoners from throughout the state, because I believe when these people commit a crime against the society that these people should be incarcerated. I do not believe in early release. I do believe in prison confinement. But it seems like when questions are directed to that agency, when that agency is reluctant, and yes, seldom return a phone call, it makes it pretty difficult to be receptive to their demands and their wishes when things such as this take place. I realize that we're encompassing into a new sphere as far as prison construction goes when we talk about the modular construction, when we're thinking about building something that's never even been tried, or anticipated or

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

what the realities will be in a few short years pertaining to modular prisons. But again, it's a stop measure, and I think that we need the room. They're going so in double celling and et cetera. Without belaboring the point anymore, and I know that my vote is essential, so that this measure can pass, and with that, I vote from 'present' to 'yes'."

Speaker Greiman: "Mr. DeJaegher, the Gentleman from Rock Island, goes from 'present' to 'yes'. The Gentleman from Cook, Mr. Rice, for what purpose do you seek recognition, Sir?"

Rice: "I would like to address this Assembly, if I might, Mr. Speaker."

Speaker Greiman: "Proceed, Sir."

Rice: "You've noticed a number of yellow votes on that board. I think the real problem is black, meaning me. We should be recognized when decisions are made relative to the 80% of the population that's in those penal institutions. We spent a whole afternoon listening to those folks, Mr. Greiman, and they haven't reported back some of the things that we asked them about. And we're damned tired of it. I think it's about time to recognize that we are part of this state. I'm going to change my vote, and I'm going to get whipped for it. I'm going to change it, because I feel that one step in the right direction doesn't make me turn around and did ten backwards. But certainly, please recognize that we are a part of this General Assembly and not one. So I change my 'present' to 'aye'."

Speaker Greiman: "The Gentleman from Cook, Mr. Rice, votes from 'present' to 'aye'. The Lady from Champaign, Mrs. Satterthwaite, for what purpose do you seek recognition, Ma'am."

Satterthwaite: "Mr. Speaker and Members of the House, I rise to explain my 'no' vote, and it is somewhat with shame that I

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

feel..."

Speaker Greiman: "Well, Mrs. Satterthwaite, I'm going to let you proceed, but I want you to know that the time for explanation of votes has actually gone by. This is really... I'm recognizing them... for people to determine their own vote, but proceed, Ma'am."

Satterthwaite: "I feel that in response to the Leader on the opposite side of the aisle, who talks about the need of protection of society from criminals, that something needs to be said in regard to the protection of society that they expect by their Legislative Body. If the votes are here for this Bill, fine, but we should be very careful to protect the process. And because of a violation of that in the previous vote, I really am ashamed that this chamber has sunk to that low. If you can persuade enough people to vote, then you deserve to win that issue, whether or not it's something I agree with, but I am really saddened by this afternoon's activity in the fact that a Member's right was violated and by the fact that people were recorded on a vote who should not have been so recorded. And I hope that when we talk about protecting people from criminals that we also remember our obligation to protect our constituents and extend to them the faith that they have put in us."

Speaker Greiman: "The Gentleman from Cook, Mr. LeFlore."

LeFlore: "Mr. Speaker, Members of the Assembly, if you'll notice I didn't vote on this Bill at all, because I'm not at all satisfied with what happened this past week. Me and my colleagues, when I say me and my colleagues I mean the Black Caucus, met with the correction staff on Monday of this week, this past week. We only asked them for several things. They promised us that they would do a statistical evaluation, and come back to us and perhaps give us a report. We understand that we have the prisons

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

overcrowdness, but I feel that it's unfair to have those fellows or those... the people in the prison and when they're not receiving what they should be receiving, and that's some type of training. We was merely asking for more money for academic education and vocational education. That we didn't get. We was told that the new facilities, they would have only one instructor per facility. And I feel that if we're going to have people in incarceration, they should be given some type of training so when they are released back to the streets they will be able to seek and maintain a job. And this is the reason why I voted 'no'. But since this issue is so important, I'm going to vote 'aye' on this issue."

Speaker Greiman: "Record Mr. LeFlore, the Gentleman from Cook, as 'aye'. The Gentleman from McLean, Mr. Bopp."

Bopp: "Thank you, Mr. Speaker. I really had my light on the previous time to explain my vote, and I want to take just a short second during this period to take care of the... in spite of what you may rule, please."

Speaker Greiman: "Mr. Bopp, proceed."

Bopp: "In this situation, we are really not dealing with the problem. And when I've heard people talk all day about being responsible, at no time in the last couple of days, other than the last two or three speakers have... going back and really dealing with the root of the problem in terms of how do young people get into the prison system. I'm sure that you're all aware that some 65% of the people that are currently in prisons now have been there one more time. Another fact, 25% of the young people that enter high school today in Illinois do not graduate with a diploma in four years. That means every four years we lose a whole class. I think these are things that we ought to be considering if we are responsible legislators in this

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Body in an attempt to really deal with the prison situation. We are, in fact, assuring today that two or three years from now the prisons that we will be building this year will be filled."

Speaker Greiman: "Thank you. On this... On this Bill, there are 74 voting 'aye', 9 voting 'no', 4... Yes, Ms. Markette. Ms. Markette, for what purpose do you seek recognition?"

Markette: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, as the newest Member of the legislation (sic - Legislature) 83rd General Assembly, I do reluctantly stand. But because the hour is late and we all are ready to go home, I am not for early release. Prison is not the answer, but I am going to be... I would like to be recorded as 'aye'."

Speaker Greiman: "Ms. Markette goes from 'present' to 'aye'. The Lady from St. Clair, Ms. Younge, for what purpose do you seek recognition?"

Younge: "I'd like to verify Representative Roman."

Speaker Greiman: "You have asked for... I asked you if you had finished. You said you had. I ask you now, for what purpose do you seek recognition, Ma'am?"

Younge: "I... My name..."

Speaker Greiman: "I will... I will... No, when we close this vote, I will rec... it is my intention to recognize you on your point of personal privilege, and I will do so. On this Bill, there are 75 voting 'aye', 9 voting 'no', 3 voting 'present', and the House does concur with Senate Amendment 1 to House Bill 2319. And this Bill is hereby declared passed. The Chair recognizes the Lady from St. Clair, Ms. Younge, on a point of personal privilege."

Younge: "On a point of personal privilege, I think I should have been recognized at the time that I asked for a point of personal privilege when my name was used in debate, but I

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

was not given that privilege. I think that we've given the example here of our society that lays emphasis upon street crimes and not sweet crimes. And the way you have conducted these proceedings here is... is a crime to democracy. And it will be my intention to take this matter to the court in reference to the handling of a Bill right before this, because I don't think it was justly passed. I don't think it was done right, and I think it's my obligation to say that to you and this Body. And until we get to the point where we're dealing with the reasons why people go to prison, the bad housing, no jobs, poor health, ignorance, then we're wasting the peoples' resources."

Speaker Greiman: "On the Order of Concurrences, Supplemental Calendar #3, appears House Bill 2306. The Gentleman from Cook, Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2306 was amended by the Senate. Amendment #1 by the Senate increases certain Commissions to certain amounts that was agreed upon by the Senate appropriations staff and also approved, to my understanding, by the House appropriation staff. Senate Amendment #2 is a similar Amendment that would allow the Department of Revenue budget to increase and the Secretary of State's budget to increase to provide for the movement of the Department of Revenue into the new Willard Ice Building, and I would move for concurrence to Senate Amendment #1 and #2 to 2306, Mr. Speaker."

Speaker Greiman: "The Gentleman moves for concurrence with Senate Amendments 1 and 2 to House Bill 2306. And on that, is there any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment 1 and 2 to House Bill 2306?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

is final action. Have all voted who wish? The Gentleman from Cook, Mr. Leverenz, to explain his vote."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Indeed, we need a few more votes. The Senate did take off some of the money that we put in the original Bill and sent to the Senate. The agreements that were reached through the conferences in the last two days provide for increases to a number of the Commissions that were cut back to '83 levels, but indeed, we need the money restored. For example, in the Legislative Audit Commission. We need the 15,000 dollars to do the work of the Audit Commission. The Space Needs money was reduced to 24,000 instead of 38. The Employees' Group Insurance Advisory was increased 5,000 dollars, and we got the votes. And I hope you're fast."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 72 voting 'aye', 24 voting 'no', 2 voting 'present'. The House concurs in Senate Amendments 1 and 2 to House Bill 2306, and the Bill is hereby declared passed. On Supplemental Calendar #2 on the Order of Concurrences appears Senate (sic - House) Bill 1939. The Gentleman from Lee, Mr. Olson."

Olson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. We return to House Bill 1939. I wish to respond to Representative Leverenz's specific question as to the lease at the new State of Illinois Building in Chicago, and that lease meets the terms of the normal Central Management leasing of 15 years with the addition caveat that it is subject to renewal. This was put in place, Representative Leverenz, because of the financing package with the Palmer Group. This lease was put on in a national bid basis. They were the award winning lease. They expect to spend eight to nine million dollars in

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

refurbishing it to put it in shape to attract the type of clientele they want. And as a consequence, I would urge the concurrence vote for House Bill 1939."

Speaker Greiman: "The Gentleman has moved for... has moved that the House concur in Senate Amendments 1, 2 and 3 to House Bill 1939. And on that, is there any discussion? No? There being none, the question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 1939?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 92 voting 'aye', 1 voting 'no', 2 voting 'present', and this... and the House does concur in Senate Amendments 1, 2 and 3 to House Bill 1939. And the Bill is hereby declared passed. House Calendar Supplemental #1, Conference Committee Reports, appears Senate Bill 375. And on that, the Lady from Cook, Ms. Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen. Conference Committee Report #1 Senate Bill 375, the Report recommends that the Bill be amended by deleting everything after the enacting clause and by providing Fiscal Year '84 appropriations for many of the state agencies. The total dollars involved are 21,914,000.02 from General Revenue Funds. Other funds are 8,822,000.03. The total amount of the appropriation for Senate Bill 375 is 30,737,000.05 dollars, and I would please ask for an 'aye' vote."

Speaker Greiman: "The Lady from Cook, Ms. Barnes, moves that the House adopt the Conference Committee Report #1 to Senate Bill 375. And on that, is there any discussion? There being none, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 375?' All in favor signify by voting 'aye', those opposed vote 'no'."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Voting is now open. Final action. The Gentleman from Cook, Mr. Leverenz, to explain his vote."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We again need 71 votes on this. For those of you that do not know, these are all of the requests from the Governor's Office that have been approved with a number of meetings, with Dr. Mandeville, for all of the different agencies. They are approved requests only. Those requests that were not given a blessing by Dr. Mandeville, you have already concurred in. The money that is in this Bill is needed by the various agencies. We have the money, and it will bring us, probably, exactly with the amount of income to the state. If anyone had any questions, I would think they would have raised the questions earlier, and we'd appreciate a couple of more votes so we can go home."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Ms. Barnes to explain her vote."

Barnes: "Well, Mr. Speaker, there's been a lot of work put into this Bill as there had been the previous Bills. And to answer some of Wyvetter's questions, the Human Rights Commission is involved in this, and their funding is in here. And I would appreciate it if we see some 'aye' votes. I, myself, as a Legislator have always voted 'yes' for everything that Wyvetter has had, and I understand many of her problems. But I sure would like to see all the state agencies get funded this evening."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson, to explain his vote. Have all voted who wish? Have all... Mr. Clerk, take the record. On this Bill, there are 71 voting 'aye', 26 voting 'no', 4 voting 'present', and the House does adopt the 1st Conference Report to Senate Bill 375. And the Bill is hereby declared passed. Death Resolution."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Clerk Leone: "House Resolution 601, Younge, in respect to the memory of Marine Lance Corporal Eric Pulliam."

Speaker Greiman: "Mrs. Younge."

Younge: "Thank you. The Marine died in Beirut, Lebanon for his country."

Speaker Greiman: "The Lady from St. Clair moves for the adoption of House Resolution 601. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Resolution is adopted. Mr. Clerk, the Adjournment Resolution."

Clerk Leone: "House Resolution... Senate Joint Resolution 74. Resolved by the House of Represent... by the Senate of the 83rd General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Friday, November 4th, 1983, it stands adjourned until Wednesday, January 11th, 1984 at 12 o'clock noon; and when the House of Representatives adjourns on Friday, November 4th, 1983, it stands adjourned until Tuesday, January 10th, 1984 at 12 o'clock noon; and when the House of Representatives adjourns on Tuesday, January 10th, 1984, it stands adjourned until Wednesday, January 11th, 1984 at 12 o'clock noon."

Speaker Greiman: "Mr. McPike, the Majority Leader."

McPike: "I move for adoption of the Adjournment Resolution."

Speaker Greiman: "Mr. McPike moves for the adoption of Senate Joint Resolution 74. All those in favor signify by saying 'aye', those opposed 'nay, and the 'ayes' have it. And the House will stand... The House will... Yes, Mr. McPike... stand adjourned."

McPike: "And that's the adoption of the Adjournment Resolution, and I now move that the House stands adjourned for a Perfunctory Session January 10th at 12 noon and Regular Session Wednesday, January 11th at 12 noon."

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

88th Legislative Day

November 4, 1983

Speaker Greiman: "Mr. McPike moves that the House stand adjourned. And pursuant to his Motion, all in favor signify by saying 'aye', those opposed 'nay'. And the 'ayes' have it, and the House stands adjourned."

01/26/84
14:33

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

NOVEMBER 04, 1983

HB-0541	CONFERENCE	PAGE	84
HB-0553	CONCURRENCE	PAGE	6
HB-0553	CONCURRENCE	PAGE	9
HB-0553	OUT OF RECORD	PAGE	6
HB-0720	CONFERENCE	PAGE	21
HB-1130	CONCURRENCE	PAGE	149
HB-1319	CONCURRENCE	PAGE	152
HB-1330	CONCURRENCE	PAGE	6
HB-1613	CONCURRENCE	PAGE	136
HB-1780	CONCURRENCE	PAGE	81
HB-1924	CONCURRENCE	PAGE	12
HB-1939	CONCURRENCE	PAGE	153
HB-1939	CONCURRENCE	PAGE	201
HB-1939	OUT OF RECORD	PAGE	157
HB-2100	CONCURRENCE	PAGE	139
HB-2100	CONCURRENCE	PAGE	170
HB-2100	OUT OF RECORD	PAGE	140
HB-2106	CONCURRENCE	PAGE	56
HB-2234	CONCURRENCE	PAGE	80
HB-2281	CONCURRENCE	PAGE	140
HB-2305	CONCURRENCE	PAGE	165
HB-2306	CONCURRENCE	PAGE	200
HB-2309	CONCURRENCE	PAGE	141
HB-2313	CONCURRENCE	PAGE	142
HB-2315	CONCURRENCE	PAGE	157
HB-2317	CONCURRENCE	PAGE	158
HB-2319	CONCURRENCE	PAGE	182
HB-2327	THIRD READING	PAGE	101
HB-2327	OUT OF RECORD	PAGE	101
HB-2336	FIRST READING	PAGE	5
HB-2337	FIRST READING	PAGE	102
HB-2338	FIRST READING	PAGE	102
SB-0139	VETO MESSAGE	PAGE	37
SB-0189	NON-CONCURRENCE	PAGE	14
SB-0375	CONFERENCE	PAGE	202
SB-0378	VETO MESSAGE	PAGE	33
SB-0502	VETO MESSAGE	PAGE	42
SB-0546	SECOND READING	PAGE	108
SB-0546	THIRD READING	PAGE	132
SB-0589	CONFERENCE	PAGE	82
SB-0668	VETO MESSAGE	PAGE	43
SB-1002	CONFERENCE	PAGE	30
SB-1206	NON-CONCURRENCE	PAGE	21
SB-1206	NON-CONCURRENCE	PAGE	32
SB-1206	OUT OF RECORD	PAGE	21
HR-0476	RESOLUTION OFFERED	PAGE	99
HR-0529	MOTION	PAGE	49
HR-0529	RESOLUTION OFFERED	PAGE	51
HR-0582	ADOPTED	PAGE	99
HR-0582	RESOLUTION OFFERED	PAGE	97
HR-0598	ADOPTED	PAGE	107
HR-0598	RESOLUTION OFFERED	PAGE	105
HR-0601	ADOPTED	PAGE	204
HJR-0105	MOTION	PAGE	92
HJR-0105	MOTION	PAGE	167
HJR-0105	RESOLUTION OFFERED	PAGE	93
HJR-0105	RESOLUTION OFFERED	PAGE	167
HJR-0105	OUT OF RECORD	PAGE	95
HJR-0106	ADOPTED	PAGE	96
HJR-0106	RESOLUTION OFFERED	PAGE	95
SJR-0074	ADOPTED	PAGE	204

01/26/84
14:33

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

NOVEMBER 04, 1983

SUBJECT MATTER

HOUSE TO ORDER - REPRESENTATIVE MCPIKE	PAGE	1
PRAYER - FATHER TZORTZIS	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
RPRESENTATIVE BRESLIN IN CHAIR	PAGE	2
MESSAGE FROM SENATE	PAGE	4
RECESS	PAGE	5
HOUSE RECONVENES - REP. MATIJEVICH IN CHAIR	PAGE	5
REPRESENTATIVE BRAUN IN CHAIR	PAGE	30
REPRESENTATIVE MATIJEVICH IN CHAIR	PAGE	33
MESSAGES FROM SENATE	PAGE	102
AGREED RESOLUTIONS	PAGE	103
DEATH RESOLUTIONS	PAGE	105
GENERAL RESOLUTION	PAGE	105
MESSAGE FROM SENATE	PAGE	108
REPRESENTATIVE GREIMAN IN CHAIR	PAGE	140
COMMITTEE REPORT	PAGE	149
ADJOURNMENT	PAGE	205