

STATE OF ILLINOIS  
82ND GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

130th Legislative Day

June 24, 1982

Speaker Ryan: "The House will be in order, and the Members will please be in their seats. The Chaplain for today is Reverend Wiktkop from the Faith Evangelical Luthern Church of Springfield. Reverend Wiktkop."

Reverend Wiktkop: "Let us pray. Almighty God, Lord of life, Lord of our lives, and yet One whom we can call our Heavenly Father, we give You thanks for the privilege of being a part of Your kingdom, of Your world. We thank You also for our citizenship in this great country of the United States of America and for that privilege, too, of being a part of this State of Illinois. We thank You, O God, for the marvelous freedoms and opportunities that are afforded to all of us. Help us to realize also that freedom, O God, can only be freedom when it is within Your will. We thank You for leaders, for our President, for the Congress of our nation, for this state, for its Governor, for its Legislature. And today we thank You for the Members of this House of Representatives. We pray that we all may be filled with the spirit of humility, and wisdom and love. Guide the business of this day that justice and righteousness may be done, that human needs may be cared for, and that all of us out of this may enjoy the good life that You desire for each. And may we live this day, and may we live our lives so that when the day will end and our lives come to a close that we may hear You say, 'Well done Thou good and faithful servant'. To that end we pray in the name of our Lord and Savior, Jesus Christ. Amen."

Speaker Ryan: "Thank you, Reverend. We will be led in the Pledge today by Representative McCormick."

McCormick - et al: "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible with liberty and justice

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for all."

Speaker Ryan: "Roll Call for Attendance. Take the record, Mr. Clerk. With 172 Members answering the Roll, a quorum of the House is present. Representative Getty, do you have any excused absences?"

Getty: "No excused absences, Mr. Speaker."

Speaker Ryan: "Representative Telcser, do you have any excused absences? None. Representative Getty, we're certainly glad to see you're feeling better and back on the floor this afternoon...or this morning. It's nice to have you with us."

Getty: "Thank you. Mr. Speaker, as you know..."

Speaker Ryan: "You must have seen your pharmacist."

Getty: "It was a long, long day yesterday and being on the floor..."

Speaker Ryan: "You only got to spend part of the day though. I mean, you should have been around with the rest of us to find out how long it really was."

Getty: "Oh, oh well, Mr. Speaker, I was out on the floor from ten o'clock in the morning until, I think, eleven o'clock at night. I figure that's pretty long."

Speaker Ryan: "I understand that. I'm certainly glad to see you're back to health."

Getty: "It's always good to see you in the podium, Mr. Speaker."

Speaker Ryan: "Is Representative McClain in the chamber? Where is Representative McClain? Representative McClain. On the Calendar on page seven under the Order of Concurrence appears House Bill 579, Representative McMaster. Out of the re...you want this out of the record, Representative? Out of the record. House Bill 958, Representative Younge. Read the Bill."

Clerk Leone: "House Bill 958, a Bill for an Act to establish the Illinois Community Development Finance Corporation together

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with Senate Amendment #1."

Speaker Ryan: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Senate Amendment #1 to House Bill 958, which is the Community Development Finance Corporation Bill, the Amendment greatly stresses the Bill and basically puts the Corporation under the chairmanship of the Lieutenant Governor. I think that these...this Amendment stresses it, and I move for the concurrence of the Amendment. I move to concur. Move to concur, Mr. Speaker."

Speaker Ryan: "The Lady moves that the House do concur with Senate Amendment #1 to House Bill 958. On that question, Representative Mays."

Mays: "Thank you, Mr. Speaker, Members of the House. This is final action, and I was wondering if the Sponsor would go into some detail as to what this Amendment does to the underlying Bill. I withdraw that request."

Speaker Ryan: "Are there any discussion? The Lady moves that the House do concur with Senate Amendment #1 to House Bill 958. Final action. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 119 voting 'aye', 23 voting 'no', 5 voting 'present'. This Bill, having received a Constitutional Majority is hereby declared passed. House Bill 1108, Representative McAuliffe. Representative Schneider on the floor? House Bill 1108, out of the record. House Bill 1178, Representative Hoffman. Read the Bill."

Clerk Leone: "House Bill 1178, a Bill for an Act to amend an Act relating to alcoholic liquors together with Senate Amendment #1."

Speaker Ryan: "Representative Hoffman."

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Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Steczko and I are the hyphenated Cosponsors on this Bill, and we request that you concur in Senate Amendment #1 which we believe improves the Bill, because if you remember in the House, we added to this Bill the sale of liquor in park districts who were organized under the Code, and it originally included the forest preserve districts and buildings or golf courses which are owned by the park district. And what the Senate Amendment does requires that any park district which sells liquor shall be in compliance, excuse me, shall be in compliance with all the provisions of the Dram Shop Act. We believe this tightens up the requirements of the Bill as it left the House, and we would ask that you concur in Senate Amendment #1 to House Bill 1178."

Speaker Ryan: "Any discussion? The question is...No, the Gentleman moves that the House do concur to Senate Amendment #1 to House Bill 1178. This is final action. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 143 voting 'aye', 8 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1229, Representative Stewart. Representative Stewart, you want your Bill heard on concurrence? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1229, a Bill for an Act in relationship to offensive rape and the penalties prescribed hereto together with Senate Amendment #1."

Speaker Ryan: "Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. HB 1229 creates the crime of gang rape and carries with it certain penalties for persons that are convicted."

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The Senate simply made a technical Amendment correcting the...correcting the name of the statute that was...that's being amended by this Bill, and I move that the House concur with the Senate Amendment."

Speaker Ryan: "Is there any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1229?'. Final action. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 129 voting 'aye'. There are 154 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1241, Representative McClain. Representative McClain on the floor? Out of the record. House Bill 1254, Representative Keane. Out of the record. House Bill 1955, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1955, a Bill for an Act to amend the Environmental Protection Act together with Senate Amendments #1 and 2."

Speaker Ryan: "Representative Levin."

Levin: "Thank you, Mr....Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Telcser, Cullerton and myself are the hyphenated Cosponsors of this Bill, and we move for the adoption of Senate Amendments #1 and 2. The basic Bill restores noise pollution standards in cities of over one million or for professional sporting events at night, most notably, Wrigley Field. The Senate Amendments make no substantive changes. They move the language of the Bill from the definition Section of the Environmental Protection Act to Section 23 and provide clarifying language. Since the Bill amend...is an Amendment to House Bill 998, the Amendments have been checked out with

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Representative Bartulis who has no objection to them. I ask the concurrence in Amendments #1 and 2."

Speaker Ryan: "Any discussion? The Gentleman from Adams, Representative Mays."

Mays: "Thank you, Mr. Speaker and Members of the House. Does this Amendment have anything to do with baseball?"

Levin: "Yes."

Mays: "And night games?"

Levin: "Yes."

Mays: "And it did not do anything to the Bill other than shift that around in the Sections. Is that what you're saying?"

Levin: "Yes. The criteria and the context and who is covered is exactly the same as the Bill left the House. What we did is we asked the Rich Carls...Director Carlson of the EPA and the Pollution Control Board to review the language, and they suggested some clarifying language. The elements are exactly the same. The coverage is exactly the same. There are no substantive changes."

Mays: "What did this...What did this Bill pass out of the House? What was the number of votes it had on it?"

Levin: "100 votes."

Mays: "Well, Mr. Speaker, to the Bill. This is an excellent opportunity for us on final action to reconsider our vote, and I would urge every Member to look at this and nonconcur."

Speaker Ryan: "Any further discussion? Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, Members of the House. As was pointed out by the last speaker, this is the Bill which seeks to make the Chicago Cubs a second class baseball team, which is, I suppose a lot of people would say, is an improvement. In any event, what we are seeing here is Legislators from the City of Chicago come down here to tell

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us to bail out their chestnuts that they cannot get, apparently, the City of Chicago to do for them. So, they're coming down here wasting our time and asking us to change the laws of the State of Illinois so that the Cubs can't play night games. Now, we all know, or used to be told that ball players played better in the day. It has now come to pass that that's not true, that they play better at night. So, if you want to make the Chicago Cubs a permanent second class, second division ball club, then you probably would vote 'aye' for this Bill. But, I'm...I want to see the Cubs take their rightful place on top of the league where they belong, and to do so they have to be able to play night ball when the rest of us can get up from some of the surrounding areas and get in there and see the games and cheer them on, which is another problem associated with day ball. So, let's vote this bad Bill down. Let's leave it to the City of Chicago that their vast home rule powers to protect the citizens if they need protecting. The citizens of this particular area vote for the Aldermen and the Mayor of Chicago. They don't vote for you and I. Let's not be frightened into passing this bad Bill, and let's vote 'no'."

Speaker Ryan: "Further discussion? The Gentleman from Rock Island, Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm very pleased that this piece of legislation has come back to this chamber. Earlier this year when it was less hectic and more of a leisure pace, we considered this Bill and I, unfortunately, voted in favor of its passage. It's this type of silly legislation that gives the General Assembly a bad image. When we should be discussing budgets, school funding, Equal Rights Amendment and ano...number of other pressing issues, we have to deal with

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something about lights at Wrigley Field. The former speakers were absolutely correct. This is a matter for the City Council of Chicago, and we should not be considering it today in the closing days of this Session. Thank you."

Speaker Ryan: "Further discussion? The Gentleman in the green jacket, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I wish you'd carefully pay attention to all the debate that we had on the floor of the House yesterday when the closing Sunday law came up and all of the objections I heard from both sides of the aisle, and I hope that I see the same amount of red votes that were up there against that Bill yesterday, because we were singling out a particular industry and closing them up. This is no different. The only exception between that is the...the City of Chicago and the County of Cook is strictly home rule. It's not politically expedient for the Mayor to pass such an ordinance or to prohibit anything like that, because they're really in the jackpot. On one hand, they have the Chicago Tribune and the editorial boards. On the other hand, they just have 50,000 people that live around the area. Now, this is a good example of those people that were screaming yesterday that we are singling out a single industry to close them up on Sunday, and that's exactly what we're doing. We're doing the City of Chicago's dirty work for them right here on this Bill. I'd like to see an awful lot of red votes."

Speaker Ryan: "The Gentleman from McLean, Representative Bradley."

Bradley: "Thank...Thank you, Mr. Speaker. I wonder if the Gentleman might yield for a question."

Speaker Ryan: "He indicates that he will."

Bradley: "The last Gentleman just said, I think, that we are



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going to be damaging only one sport. Doesn't this Amendment apply to more than just baseball?"

Levin: "Yes, it applies to baseball, soccer and football played by professional athletes."

Bradley: "It's three times worse than Representative Conti thought. Then, let me ask, would it also...would it apply to amateur sports?"

Levin: "No."

Bradley: "Well, Mr. Speaker, if I might address myself to the Bill."

Speaker Ryan: "Yes, proceed, Representative."

Bradley: "I probably should have asked one more question. I took the liberty Tuesday morning to put in a call to Wrigley Field and talk to the General Manager, Dallas Green. I asked the General Manager if he had been contacted about this piece of legislation by anybody of the...Members of the General Assembly. He said, 'Well, Johnny Leon...or Johnny Merlo. I said, 'Well, John Merlo used to be in the General Assembly, but he's not here anymore'. Nobody has contacted the...the Chicago Cubs or the management to get their views as to what they think should be done regarding the lights at Wrigley Field. I asked him if he was in favor of it. He said, 'No, we're not. We're playing it low key. My job right now is to put a quality baseball team on the field. But remember this, we're the only team in the major leagues without lights. If it would mean that we would have to move the team at some time, we would consider doing that.' I can't imagine the people surrounding Wrigley Field being anxious to see the Cubs move out of that north side ball park. It's a bad Bill. We, in Bloomington, although he says it only applies to professional sports, just put in at the junior legion baseball team the second best set of lights in the State of

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Illinois. Only Comiskey Park has better lighting for their baseball field than the junior legion field in Bloomington, Illinois. This...I can just imagine this being amended in a year or two to prohibit lights being used for amateur baseball. Business-wise, again, we find ourselves telling somebody that...in business that they can't do something that we should not be involved in. We shouldn't be telling them how to run their ball park, how to run their baseball team, whether to put up lights or not. This is a terrible piece of legislation. It gives us another chance to defeat it. Let's resoundly defeat it with a lot of red lights. Thank you, Mr. Speaker."

Speaker Ryan: "Gentleman from Wrigley Field, Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House, thank you for that introduction, Mr. Speaker. But, Mr. Speaker and Members of the House, obviously I rise to support the Gentleman's concurrence Motion; and, in doing so, I'd like, if I...if I may, to refocus the attention of the Members on what this issue really is. Surrounding the ball park there are 50,000 residents who have homes, who have bought places, who've remodeled them, who've decided to stay in the City and to make the City a livable place in which to remain. Now, Mr. Speaker and Members of the House, I believe the ball park has been in our neighborhood since 1916. There has never ever been night baseball in all of these years, and those people who live in our community, who purchased homes and who are raising their families in our community did so and made investments based upon the knowing they'd have peace and tranquility in the evening hours. They were aware of the traffic, and the noise and the problems which occur with day baseball, and they took that upon themselves when they decided to stay in the

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neighborhood. But, Mr. Speaker and Members of the House, time and time again, we talk about maintaining the livability of the City, and about the City retaining its tax base and about keeping middle income people in Chicago. Well, Mr. Speaker and Members of the House, I sincerely, truly believe that this Bill will help us keep our neighborhood and our City a fine place in which to live. We love the Cubs and the ball park. But, everybody in our neighborhood would like to retain day baseball, because night baseball, with all its attendant problems, would make the neighborhood absolutely, in my opinion, next to impossible to raise families and to enjoy peace and quiet in the evenings. Now, Mr. Speaker and Members, I know that each and every one of you from time to time come to the Assembly and ask for relief of one sort or another for the people whom you represent. Well, that is what Representative Levin, Cullerton and I are doing today. I don't believe that this legislation has a direct effect on any of you, except maybe two or three adjacent districts to us, and I believe that all of those Legislators support this concurrence Motion. I'm asking you to help us help our constituents to stay in the City, to continue to remodel old homes, to continue to make investments in Chicago and to maintain a decent, good quality of life. I think this is an important Bill. I think it's the right thing to do. I again repeat, it does not have a direct effect upon your constituencies, and I ask you to help our neighbors and our constituents. I think they're deserving of it, and I would appreciate an 'aye' vote."

Speaker Ryan: "The Gentleman from Bureau, Representative Mautino."

Mautino: "I just had a comment to make on this legislation. Since we closed new car dealers on Sunday, I was just

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wondering if this is the Sunday and evening closure for the baseball fans."

Speaker Ryan: "Gentleman from Cook, Representative Griffin."

Griffin: "Mr. Speaker, Ladies and Gentlemen of the House, as a Cosponsor of this legislation, I would like to say that it is more serious than I think some people are taking it to be. The people who were concerned in their neighborhood came down here at great effort to present their case and were obviously very concerned about their quality of life. It could be important, not only specifically as it deals with this neighborhood around Wrigley Field, but it could be a precedent for people around the state who may find similar problems, not necessarily with ball parks, but with all kinds of other public activities that may be interfering with their kind of life that they're entitled to. So, I wholeheartedly support this legislation, and I hope that the entire Body will. Thank you."

Speaker Ryan: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Will the Gentleman...Will the Gentleman yield?"

Speaker Ryan: "Indicates that he will."

Daniels: "Representative Levin, I'm a little confused by your Bill, because you're talking about night baseball in the City of Chicago or County of Cook, since you apply it to counties over a million. Is that correct? Now, let me ask you this, where in the Bill does it prohibit night baseball?"

Levin: "The Bill does not prohibit night baseball. What the Bill does is to restore a port...a...the noise pollution standards which existed prior to the passage of House Bill 998, but only in the City of Chicago for professional baseball, soccer and football played at nighttime."

Daniels: "So...So, the Bill is not concerned with such things as

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airport noise or those people that live around O'Hare Field and the big jets taking off and the noise. It doesn't apply to that, right?"

Levin: "That is correct."

Daniels: "Alright."

Levin: "It simply restores a small portion of the law as it was before last September."

Daniels: "So now we're more concerned by your Bill with the noise that a baseball game might emit versus the noise a jet might emit around O'Hare Field. But let me ask you this question, because this is where I get a little confused. Where does it say that you can't have lights in Wrigley Field at night?"

Levin: "It does not."

Daniels: "Now, now we're getting down to it. So what you really say is that it's the noise problem, not the lights. So you, by your Bill, you don't object to the lights. Is that correct?"

Levin: "That is correct."

Daniels: "So, what you want...Isn't it a certain time you have to shut off amplification systems?"

Levin: "That...yes. The current EPA regs define nighttime for purposes of noise as 10:00 p.m. to 7:00 a.m."

Daniels: "Now looking at the Bill, and if this were to become law, then what you're saying is that at 10:00 p.m. the noise standards, nighttime noise standards then take effect. Is that correct?"

Levin: "That's correct."

Daniels: "So, at 10:00 p.m., hypothetically, the Chicago Cubs could be involved in a night ball game with the lights blazing, but you have to shut off the amplification system."

Levin: "That is correct."

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Daniels: "So, they could make an announcement at five minutes to ten as follows: 'Ladies and Gentlemen, we're going to continue with our game and our night lights, but we cannot have an amplification system anymore at 10:00 o'clock, thanks to Representative Levin, because he's making us shut off the amplification, but we'll continue with the game with the lights'. Now, that could happen, couldn't it?"

Levin: "The Bill simply deals with noise standards, and those noise standards are more strict after 10:00 o'clock. That is correct."

Daniels: "Well, Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, you've heard the ridiculous Bill and the explanation of the Sponsor, as it applies to night baseball in the City of Chicago. What they're talking about is not night lights, because if the Chicago Cubs wish, they can go ahead and put up night lights. But at 10:00 o'clock at night, they've got to shut off the amplification system. Is this Gentleman concerned with the noise standard at O'Hare Field, with the jets that are driving people out of their homes? Is this Gentleman concerned with the noise standards that those of us in DuPage County around O'Hare Field or around Cook County O'Hare Field are concerned with? No. What's he concerned about? Night baseball. This is what he's taking the time of the House up right now to shut off the amplification system around the Cubs ball park, not the lights. It doesn't stop lights going in, and I suggest to this Gentleman that our time could be better spent than coming to this House and getting special legislation to deal with noise pollution."

Speaker Ryan: "Representative Vitek."

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

Speaker Ryan: "The Gentleman moves the previous question. All in favor will signify by saying 'aye', all opposed 'no'. The

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'ayes' have it, and the Motion prevails. Representative Levin to close. Representative Levin."

Levin: "Representative Cullerton will close."

Speaker Ryan: "Pardon? You want Representative Telcser to close?"

Levin: "No."

Speaker Ryan: "Oh, Representative Cullerton, the bat boy. Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I speak not only as the Representative representing Wrigley Field, I also live two blocks away from Wrigley Field. It's a very serious Bill to me, and I'd appreciate your attention as I review for you what this Bill is all about. Let's just go over the facts. First of all, this is not special legislation. We are not coming down to Springfield to ask the state to do what the City Council can do. The City Council cannot act in this area yet. The state noise pollution standards prevail. So, what we're saying with this Bill is we used to have noise pollution standards that applied to Wrigley Field. Representative Bartulis passed a Bill to try to allow race tr...racetracks from being exempt from the noise pollution standards. We passed that Bill, but inadvertently said that Wrigley Field also shall be exempt. We're just asking that we return back to the noise pollution standards that we had before. The City Council has, without a 'no' vote, passed a Resolution asking us to pass this Resolution (sic - Bill). Everyone in the City Council has asked that. This Bill passed out of Committee with one...with no 'no' votes. It passed with over 100 votes here. It passed with 41 votes in the Senate. It is a very important Bill. Representative Bradley indicated it's the only stadium without lights. That's true. It's also the only stadium

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that's right in the middle of a neighborhood. It's 25 feet away from where people live. There's no other ball park in the United States like that. As a matter of fact, Representative Darrow said this is a silly Bill. It doesn't affect the people in Rock Island. It affects 55,000 people. That's how many people live in the census tracts within a mile...half a mile of Wrigley Field, 55,000 people. That's half the population of Springfield, all within...all who are affected directly by night baseball. And how are they affected? There'll be increased crime at night. There'll be increased litter at night. There'll be increased traffic congestion at night. These are things which were all brought out by the citizens who came down to testify in this Bill. Representative Daniels mentioned the airports. This has...We're not saying, with this Bill, that we're going to change the noise pollution standards. The noise pollution standards are still there. We're just removing an exemption. And so any problems that he has out in DuPage County with pollution of noise, he can put legislation in, and I'd be happy to help him with it. This is a very important Bill for the people of our district. As Representative Telcser said, many times people come down here, especially with small Amendments, asking for special favors back for their district, and they usually cost money. This doesn't cost any money, but this is very important for the people in our neighborhood, and it doesn't affect anybody else. I would please appreciate everyone who voted for this Bill in the past to vote for it again and to put it on the Governor's desk. Thank you."

Speaker Ryan: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1955?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Final action. Representative Ewell, you have one minute to



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explain your vote."

Ewell: "Mr. Speaker, Ladies and Gentlemen, this is the classic in self-interest legislation. Now, I've risen on the floor, and I've criticized people who come down here and ask to have every cow barn repaired. I've criticized others who seek special interest legislation. This Bill works to the detriment of the people of the state as a whole. I see no reason why, if we can have noise at Comiskey Park at night, we can't have noise at Wrigley Field. It is an unjust standard, and I think that the Cubs and the Sox ought to play on the same standard and by the same rules. And I would ask that you look beyond the narrow confines of the special interests of Members of a particular district, and vote for the state as a whole and vote 'no'."

Speaker Ryan: "Have all voted who wish? Representative Johnson, one minute to explain your vote."

Johnson: "I'll yield my time to Representative Huskey, and then I want to reserve the chance to speak to the issue. Go ahead, Representative Huskey. I'm interested to hear what you have to say."

Speaker Ryan: "Representative Huskey, one minute."

Huskey: "I just...Mr. Speaker, I would just...parliamentary inquiry, if you please. In...In...How many votes does this Bill require in regard to the home rule exemptions?"

Speaker Ryan: "Representative Huskey, it's the same as it was the last time the question was asked of the Chair, 89. Representative Kelly, one minute to explain your vote."

Kelly: "Yes, thank you, Mr. Speaker, Members of the House. I, too, was one of the Legislators that voted for this proposal when it came up before, because I've been a diehard Chicago Cub fan and proud to keep that allegiance, even though we've experienced some real bad seasons, at least this year is going to be a bad one. But I...I also

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feel very strongly that day...it doesn't matter whether you play day baseball or night baseball. If you've got the talent, if you've got an Ernie Banks, a Hank Sauer, if you've got the ball players, then you can win, and you can compete. But I feel also, after reconsideration, that we in the Legislature should not be in the business of mandating this to any business enterprise in the State of Illinois. It is exclusive, and I, therefore, am...am going to vote 'no'."

Speaker Ryan: "Have all voted who wish? Representative Barkhausen, one minute to explain your vote."

Barkhausen: "Mr. Speaker and Members of the House, having heard the arguments made by the proponents of this Bill, it sounds like they have a legitimate argument. But no one has said and no one can reasonably argue, I don't think, that a solution cannot be found within the confines of city hall. City hall, I think, has its own zoning powers, and they can make this decision for themselves. There are times when they come before this Body and say that they do not want the State Legislature med...meddling in their affairs and telling them what they can and cannot do. And I don't see why, considering the busy Calendar that we have, we should take up our time considering a measure of this kind when certainly the City of Chicago has a solution within its own powers, and I would urge a 'no' vote."

Speaker Ryan: "Representative Sandquist, one minute to explain your vote."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen, I see we do have enough votes now. I'd just like to say, as coming from the district right across the street from Wrigley Field and being a Chi...Chicago ball fan for all of my life, both Cubs and Sox, what's involved here is preserving the neighborhood and keeping it going for the citizens who

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are around there, who moved in there when they had daytime baseball. The people around Comiskey Park moved in there when they knew they had nighttime baseball. This is for the citizens and to keep the community as it is, as a great place to live. And I urge more 'aye' votes."

Speaker Ryan: "Have all batted who wish? Representative John Dunn."

Dunn, John: "Well, Mr. Speaker, I don't see what we're so concerned about here. Noise pollution can't be much of a problem in Wrigley Field. There's nothing to cheer about there. We ought to all just vote red and get rid of this Bill."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question, a home run; 95 voting 'aye', 73 voting 'yes' (sic - 'no'), 1 voting 'no' (sic - 'present'). This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1971, Representative Davis. Read the Bill."

Clerk Leone: "House Bill 1971, a Bill for an Act to amend the Criminal Code together with Senate Amendments #1 and 2."

Speaker Ryan: "Representative Davis."

Davis: "Thank you, Mr. Speaker and Members of the House. To refresh your memory, Senate Bill 1971 makes some very substantial changes in the Capital Punishment Act of 1977. The changes that were incorporated in the base Bill dealt with multiple defendants in murder and felony murder. It dealt with adding in home invasion and aggravated arson as inclusive felonies that are...create eligibility for the death penalty, also lowered the age for child abuse murder to 12 from 16. Now, Senate Amendments #1 and 2 we're going to consider separately. Senate Amendment #1 reverses out another provision that was in 1971 on lines 22 and 23, and the words 'during the commission of a felony' are returned

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to 'in the commission of a felony'. Senate Amendment #1 was added simply because three weeks ago, or almost four weeks now, the Illinois Supreme Court, in a unanimous decision by Justice Ryan, very clearly stated their opinion on attempted felonies as a condition as well as commission of the felony for eligibility for the death penalty in the Ferris Walker versus the People of Illinois decision. So, in the clarity of that decision, and in stare decisis from that unanimous decision of the Supreme Court, the language on 22 and 23, page two is no longer necessary, so the language was returned to its original form in the statute. And at this point, Mr. Speaker, I would move to concur in Senate Amendment #1."

Speaker Ryan: "Representative Davis, you have moved to concur in Senate Amendment #1 only?"

Davis: "That is correct, Sir, at this point. We're dividing the two. There is some controversy on 2."

Speaker Ryan: "Well...Representative, what are you going to do with #2?"

Davis: "Well, I am going to make the same Motion, Sir, but I anticipated a division of the question moved, and I will consider them both, but I think there will be objections since there is some controversy to Senate Amendment #2."

Speaker Ryan: "The Gentleman moves that the House concur with the Senate Amendment #1 to House Bill 1971. Is there any discussion? Representative Stearney."

Stearney: "Would the Gentleman yield?"

Speaker Ryan: "Indicates that he will."

Stearney: "Just so I understand it, Mr. Davis, Senate Amendment #1 deals with the imposition on the death penal...of the death penalty upon one who is held accountable for a killing that is committed during the course of a felony. Am I right?"

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Davis: "That is correct."

Stearney: "Now, would you tell us...or so we have some legislative intent expressed on this question as to when the death penalty would be applied, for example?"

Davis: "Well, as you know, the capital punishment statute requires a separate hearing. All that the court has said - and the language is restored to the original 1977 language by Senate Amendment #1. We are allowing the court in stare decisis in a very clear decision written by Justice Ryan that I have in front of me - it is rather lengthy - but it clearly, clearly states that the attempted felony that is an inclusive felony, the attempted felony need not be completed to be considered. If then the murder is committed during the attempt, it need not be completed or have been thoroughly committed, if you will, so that the eligibility is there."

Stearney: "True. What you're talking about is during the course of an armed robbery, a holdup of a gas station, the felon is apprehended on the premises by the police during the felony, and he hasn't gotten away with the money."

Davis: "That's right."

Stearney: "Now, let's get to the question of accountability, which is a separate question. That is in Senate Amendment #1, or is that in the original Bill?"

Davis: "Would you redefine your question of accountability, Sir?"

Stearney: "Well, does this Bill or does the Senate Amendment #1 deal with the question of accountability?"

Davis: "No, Sir, it does not. All it does is restore the original language and changes 'during the commission of a felony' to 'in the commission of a felony'."

Stearney: "Okay, what else...so that we're just talking about concurrence in Senate Amendment #1."

Davis: "That is correct at this point."

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Stearney: "The underlying Bill deals with other factors."

Davis: "It deals with other factors which I explained a bit earlier."

Stearney: "Okay, thank you."

Speaker Ryan: "Any further discussion? Representative Daniels in the Chair."

Speaker Daniels: "The Gentleman from Cook, Representative Kosinski."

Kosinski: "I have no concern with the divided question, Mr. Speaker. You just took over. There's a divided question on Amendment 1 and 2. I have no problem with Amendment #1."

Speaker Daniels: "Further discussion? Being none, Representative Davis to close."

Davis: "Well, I would simply ask for your favorable vote on concurrence on Senate Amendment #1 which is a very good Amendment, and the Supreme Court has already addressed this issue."

Speaker Daniels: "The Gentleman, Representative Davis, has moved for the concurrence in Senate Amendment #1. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1971?'. All those in favor signify by voting 'aye', opposed by voting 'no'. This is on #1 only. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 143 'aye', 16 'no', 8 voting 'present', and the House concurs in Senate Amendment #1. Amendment #2, Representative Davis."

Davis: "Thank you, Mr. Speaker. Senate Amendment #2 was added into the Senate by Senator Grothberg and deals with a Bill that we had in this General Assembly last spring that received 83 affirmative votes on a night when the attendance was somewhat light. And the Senate Sponsor, Senator Grothberg, has brought it back to us as Senate

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Amendment #2 and requires...requires that the method of execution be by lethal injection of an intravenous administration of a lethal quantity of an ultrashort-acting barbituate in combination with a chemical paralytic agent until death is pronounced by a licensed physician according to accepted standards of medical practice. Now, if we adopt this Amendment - and I believe that we should, and I will explain that to you in closing, because I know there is some controversy that surrounds this subject - I would suggest to you that a further Section of that Amendment also says that if any competent court of jurisdiction later on should decide that this is not the way we should do things, then the method of execution shall return to electrocution in the State of Illinois. So, I offer to you, without debate at this point, because I know others are going to speak, Senate Amendment #2 which changes the method of execution of a convicted murderer who has been sentenced to death in this state from electrocution to lethal injection by barbituate agent."

Speaker Daniels: "Any discussion? The Gentleman from Cook, Representative Kosinski."

Kosinski: "Mr. Speaker, Mr. Speaker and Ladies and Gentlemen of the House, as hyphenated Cosponsor of this Bill, I move to nonconcur with Senate Amendment #2 to House Bill 1971. I move to nonconcur on two premises. First of all, the Senate Amendment was attached to our Bill despite my objections at the time it was presented. As the original Sponsor of capital punishment with the assistance of Representative Davis, Representative McAuliffe, Representative Sangmeister and others, we want this Bill to remain in its pure form at this time. The recommendation that lethal injection be imposed has lost several times in this House. But in addition, I repeat, in addition, five

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years ago I presented a lethal injection Bill in the General Assembly. I dumped my own Bill in Judiciary Committee when Law enforcement people, prosecutors and the general public deluged me with resentment of the change. They felt the deterrent effect, the deterrent effect of lethal injection would not be consistent with the intention of capital punishment. In addition, I have learned that the American Medical Association, with its hypocritical (sic) oath, would hesitate to supply doctors to prescribe this injection. I am a little at loss as to what laypeople would be involved, what the constitutionality therein would be. Insofar as the deterrent effect, it would appear to me that the frightening aspects of execution as we pronounced it would be a deterrent in the street, in the slums, in the ghettos with the people about whom we are concerned. But going to sleep, much like in a dentist chair, that isn't frightening at all. I wish to nonconcur with Senate Amendment #2. I think this is much too early for this consideration. As yet, we've had no executions, even though the Supreme Court, in certain instances, has supported Illinois' capital punishment. I wish to nonconcur with Senate Amendment #2. I think it is not timely. Let the Bill remain in its pure form until such time as we see the deterrent effects of execution as we planned it. I ask for your 'no' vote on this concurrence."

Speaker Daniels: "Representative Stearney."

Stearney: "Would the Gentleman yield...the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Stearney: "Mr. Sponsor, I believe it was around 1975-1976 that we instituted the death penalty in the State of Illinois, am I right?"

Speaker Daniels: "Representative Davis."



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Davis: "We redrafted and rewrote it in 1977, Representative Stearney."

Stearney: "Okay. And since then, how many people have been electrocuted in the State of Illinois?"

Davis: "None."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to concur with this particular Amendment, and I do want to say that I was a Member of the Judiciary Committee that voted out the Death Penalty Act, and I did vote 'aye'. And I did vote 'aye' on the House floor for the imposition of the Death Penalty Act. However, since then, this...it's been involved in interminable appeals. I think there are probably 36 pending capital cases now before the U.S....the Illinois Supreme Court and a number before the Illinois Supreme Court. And perhaps the reason that the courts are so apprehensive about affirming the Trial Court's decision to sentence the defendant to the electric chair is because it is perhaps a very heinous type of killing an individual. Perhaps then, if we were to change our approach and implement this Amendment, namely lethal injection, there would not be the great outcry that there is to the imposition of the death penalty by the electric chair. Perhaps we should try a different approach to the problem. If we're concerned about law and order, and if we're concerned that the people who have been sentenced to die by juries, by Judges, who are now on death row will eventually meet their fate as meted out by that jury or Judge, perhaps we should try a different approach. Because as it is with the electric chair, no one, no one mind you, is going to that electric chair in the State of Illinois, and I don't believe so in anywhere in the coun...in anywhere else in the country except for those individuals who have said that they wish to drop their own appeal and are willing to meet

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their fate. Now, as to the objections posed by the opponent on the other side of the aisle, they appear to be somewhat specious. It is somewhat ludicrous and hilarious to hear him say that he doesn't know if people from the Medical Society will partake, participate in this type of...of execution, namely by lethal injection, and then where, how would this be done. I don't think we should worry if the individual who is being given a lethal injection is being done so with a dirty needle or not, or if he is going to develop hepatitis, because he is going to be dead within 18 seconds. So let's not raise specious and ludicrous objections. The question is, how are we going to implement the Death Penalty Act? That is it. I would suggest we try this approach, that we vote 'aye' on this particular measure, concurrence #2. Thank you."

Speaker Daniels: "Representative Getty."

Getty: "Mr. Speaker and Members of the House, I rise to oppose the Motion to concur. I suggest that Representative Kosinski's opposition as the joint hyphenated Sponsor is appropriate, not just because of the fact that this is a very different sort of Bill, one that should be considered very deeply, but on the merits of the issue. On the question of lethal injection, it seems at first blush to be a very cozy convenient way and a very humane way to affect the death penalty. It might make our consciences easier. But, that is not the purpose of the death penalty. If indeed the death penalty has a purpose - and I am one who has in the past supported the death penalty - the purpose is to be a deterrent to other people committing the crime, to be a deterrent so that the public knows very vividly that this is wrong. In the best of all possible worlds, we would have our trials and our appeals done very quickly, because justice delayed is indeed justice denied. And

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after that swift justice, we would execute people who were deemed to be executable. If we find that the death penalty is called for, it is because there should be swift justice, and public justice and public execution of people, not a cozy backroom administration of a drug which nobody in the public will see, which cannot be used as a deterrent effect. It should be something that is swift, and certain and demonstrable. It should be something that would make people pause before they would commit a similar crime. That is the intent and the purpose of the infliction of penalties, to be a deterrent to others in society. And I think, Ladies and Gentlemen of this House, that we would do ourselves a disservice if we were to adopt this sort of approach, I ask that you nonconcur or vote against this Motion to concur."

Speaker Daniels: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House.

I rise in support of this Amendment #2 to House Bill 1971, and I really can't buy this argument as far as a deterrent is concerned, because to me, if you're sentenced to death, the mental anguish you are going through regardless of the procedure that's going to be used is a deterrent enough, and to me, it doesn't hold water. Now, this particular Amendment received 50 votes over in the Senate, and I think that over in the Senate, in that chamber, they thought that perhaps a more humane way of execution was certainly...has come into its time, and I think this Amendment provides for that. And as far as the argument that the American Medical Association wouldn't be able to find physicians to administer this lethal injection, I think the way the Bill reads that it doesn't necessarily have to be administered by them, but it's the case of a licensed physician who's going to pronounce them as being deceased. But in any

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event, to me, I think this legislative proposal is...has come into its day, and I would certainly encourage everyone in this House...it is an individual conviction in attempting to represent the...the people of your constituency in your own districts in this entire state, and I would certainly encourage everyone to give strong consideration for an 'aye' vote to concur in Amendment #2 to House Bill 1971."

Speaker Daniels: "Representative Henry."

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

Speaker Daniels: "He indicates he will."

Henry: "Representative Davis, with all the noise and confusion, I think I heard Representative Kosinski say that he was a hyphenated Sponsor. Is that a fact?"

Davis: "That is quite correct, Sir."

Henry: "And I heard...I think I heard him say that at one time he had a Bill similar to the Motion, and that he dumped it. Is that a fact?"

Davis: "That's what I heard."

Henry: "Well, I'm sure that you being a fair person working along with Roman Kosinski, could you explain to us what caused the change between you and the hyphenated Sponsor?"

Davis: "I'll be glad to address that in closing, Sir."

Henry: "Well, I'll wait for the closing on that, but one other question. The...the people that wants this, or the persons that are supporting this, could you name a few?"

Davis: "Well, I don't quite understand what you mean. I can tell you that the correctional people seem to be for it at this point in time. No one has come to me as an organized group and said they want to kill people a different way than we're doing it. No."

Henry: "Thank you. To the Motion, Mr. Speaker. I believe that Representative Kosinski has been a fair man and has been

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one of the leaders in breaking down on crime in our community, and I also believe that Representative Davis is a fair person. But I think that Representative Davis and some of the supporters that he says he thinks he believes are supporting him has missed the story here, because what we're going to do is place a person in a dentist's chair, inject him with a fluid, which means nothing about deterrent at all. You might as well put the person to sleep and give him some sleeping pills and say goodbye to him. It is my understanding that the electric chair that Representative Kosinski is supporting at this point is supposed to be like Representative Getty said, a deterrent. And I can tell you that asking someone to take a lethal drug or a sleeping pill to put him to sleep because he has killed someone or he is a convicted murderer, will not do the society any good. So therefore, I am supporting, I am supporting Representative Kosinski, and I ask for nonconcurrency on this Motion."

Speaker Daniels: "Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to concurrence in Senate Amendment 2, but for slightly different reasons than other opponents have offered. I think that it is ludicrous to spend time figuring out more humane ways to kill people. I question whether or not the state should be in the business, indeed, of killing people. But of course, that kind of opinion is overruled in chambers like...such as this one. However, I think it is also rather silly for us to pass laws that admit on the face that they are pos...that very likely they are unconstitutional and will not hold up to court challenge. On that basis alone, I think that a 'no' vote is an appropriate vote for this Bill."

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Speaker Daniels: "Representative Conti."

Conti: "Ladies and Gentlemen of the House, there was a time that Representative McCarthy and I sponsored a moratorium on the electric chair in the State of Illinois, because I have had the displeasure of watching people die in the electric chair. I witnessed three such cases. I found out that after we did have the moratorium in the State of Illinois on death penalties that it was not a deterrent to crime. So now I've changed my position that I do believe in the death penalty. But if you ever want to see anybody die in a cruel and unusual manner, just witness somebody dying in the electric chair. And, I have witnessed three such occasions, and I think that this provision in this Bill would be a very good provision if we're going to continue the death penalty in the State of Illinois."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Kociolko."

Kociolko: "Mr. Speaker, Ladies and Gentlemen of the House, as one who supports the imposition of the death penalty for capital crimes, I have spent some time considering the merits of this proposal. There is an obvious question as to whether or not an injection of drugs will have the impact and the deterrent value that the electric chair has. But I do believe, and I would suspect that nearly a century ago when the electric chair was being put forward as a replacement for the hangman's noose and for the firing squad, that these same arguments were raised, that a surge of electricity was too clinical and that it lacked the horror of the gallows. In fact, the electric chair proved to be an effective form of capital punishment and did indeed prove to be a deterrent to crime when it was used and when it was not simply a dead letter on the law books. It may well be that now times have once again changed and

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that this form of execution will prove to be more effective and a better deterrent to crime. I would speak in favor of a 'yes' vote on this measure."

Speaker Daniels: "Representative Topinka."

Topinka: "Call...Mr. Speaker, I call the previous question."

Speaker Daniels: "The Lady moves the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Davis to close."

Davis: "Thank you, Mr. Speaker and Ladies and Gentlemen. It is a somewhat macabre subject in which we discuss here today, but I can tell you that in every poll taken in this state and in this Legislature, that 80% of the people of the State of Illinois are in favor of capital punishment. We are inexorably moving towards that goal in this state. The Capital Punishment Act was passed in 1977. It is five years later, and we still have not had a single execution. I can also inform and tell you that...tell you...those of you who do not read those kinds of things, that the United States Supreme Court refused to pick up in tertiary the two most recent cases put to the Supreme Court. And thereby, by refusing to pick up, insert those cases, has put a stamp of constitutionality on the Illinois capital punishment statute and returned it to the Illinois Supreme Court in those two cases for the first execution dates to be set. We are not far away from that point. New Mexico, Oklahoma and Texas, not noted for their liberal bent in any way, shape of form, not noted usually for progression in any kind of area, have adopted lethal injection in their capital punishment statutes. In fact, in Texas, the procedure has been through, in a macabre point, some 10 or 12 dry runs, and they know exactly how it will proceed. To the question of medical ethics, the actual administration

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will be done by orderlies who are not bound by the Hippocratic oath, and the doctors are simply there to pronounce the murderer dead, dead, and you must remember that. Now to the remarks of Representative Kosinski and Getty, two people with whom I seldom disagree, and to you, Representative Henry, Representative Kosinski and I have an honest disagreement on this point; although, he, at one point, did indeed offer to this General Assembly a lethal injection Bill and has changed his mind. Representative Stearney said it best, I think. Five years have passed, and there has been no execution in this state, because I think there is a natural reluctance to use the method of electrocution. Let me say to you that if you're for capital punishment or against capital punishment, you should be for Senate Amendment #2, that it may seem somewhat contradictory to declare Amendment #2 or lethal injection humane in view of the nature of capital punishment. But I can tell you that the deterrent effect is still the same. Dead is dead whether you're shot, or hanged, electrocuted, drawn or quartered or put to death by a lethal injection. If you're going to have capital punishment, I think it's incumbent upon us to proceed along this line. And if I can get a little gross for a moment, I can tell you that the procedure of the electric chair, while you may consider it a vital deterrent factor, that horror is something no one would ever want to witness in this state and would turn people away from capital punishment, and it may just come to pass under the First Amendment that that kind of an electrocution could come into your homes on the channel 10 or on the 10 o'clock news at night. I suggest to you that this Amendment is needed now so that the state can get along with the business of obeying the wishes of this General Assembly and of the



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overwhelming majority of the State of Illinois, and I now move, Mr. Speaker, for concurrence in Senate Amendment #2."

Speaker Daniels: "Representative Kosinski, what purpose do you rise, Sir?"

Kosinski: "Inasmuch as my good friend used my name, I should like to make a comment."

Speaker Daniels: "Proceed."

Kosinski: "And the comment is this, that the Supreme Court has already supported the statute of Illinois in several cases, and times certain have been set for execution. When I originally presented my Bill which I dumped, I felt that I might get more convictions from juries through this effort. However, when weighing against deterrent effect and getting the opinion of prosecutors, the police and my constituency, they felt that I would lose the deterrent effect. And it is on that premise that I object to concurrence and wish to no concur...nonconcur as a hyphenated Sponsor."

Speaker Daniels: "The Gentleman, Representative Davis, has moved to concur in Senate Amendment #2 to House Bill 1971. All those in favor with the Gentleman's Motion will signify by voting 'aye', opposed by voting 'no', and the voting's open. Representative Ropp to explain his vote. Timer's on, Sir."

Ropp: "Thank you, Mr. Speaker and Members of the House. I think that on this particular issue, this Body has voted this down at least four times to my knowledge. It seems to me that the real problem is that we are not, in fact, complying with the law by taking care of people who violently kill and murder other people by using the electrocution method. There is no deterrent, really, in this procedure to just...to give a lethal dose, and I certainly oppose this Amendment and urge everyone to vote red."

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Speaker Daniels: "Representative Davis to explain his vote. The timer's on, Sir."

Davis: "Well, Mr. Speaker, in the name of God we take sick animals to a veterinarian to have them put to sleep. We don't put them in an electric chair, and we're talking about convicted murderers who, in my opinion, are no better than animals but deserve the same treatment that those animals get, and that is to put them to death. Put them to death. Dead is dead. The deterrent effect is the same. If you're going to have executions in this state, you better vote for Senate Amendment #2."

Speaker Daniels: "Representative Kelly to explain his vote. Timer's on, Sir."

Kelly: "Thank you, Mr. Speaker, Members of the House. I sponsored this exact proposal during the last Session of the General Assembly which provided an optional...either the electric chair or the lethal injection. I'm on the Commission that visits state institutions, and I've seen the instrument of death. And, Ladies and Gentlemen, in the majority of cases when these murders occur, they are not premeditated in most instances. The deterrent effect is very nil as far as the electric chair goes. I think we ought to reach a point in this society to recognize that we should be more humane. We should be more considerate of...because people are people. Many of them have not had the advantages we've had, and they have not had the background and the ability to...but we, in this General..."

Speaker Daniels: "Please bring your remarks to a close."

Kelly: "I'm going to vote to concur with the Amendment and join Representative Davis, and I believe it is the right way to go."

Speaker Daniels: "Representative Jaffe to explain his vote. Timer's on, Sir."

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Jaffe: "Yes, Mr. Speaker and Members, I must say that this is the most bazarre debate that I have heard in many a year. You know, there is no such thing as a humane way of killing someone. You know, death is death. And to hear the debate on the floor of this House, you would think that taking a lethal shot of drugs is actually taking a joy ride. I have never voted for the death penalty, and I will tell you that I believe that the death penalty is absolutely and totally wrong. Contrary to everything that's been said on the floor of this House, it has never been proved to be a deterrent, and killing by the state is as morally wrong as killing by an individual. Again I tell you it's a bizarre debate. I'm going to vote against this particular Bill, and I think really we should start rethinking our concepts about the death penalty and start living a moral life instead of advocating death by state."

Speaker Daniels: "Representative Kosinski to explain his vote. The timer's on, Sir."

Kosinski: "Only this. It was alluded to that we even put poor little animals to death by injection in a sympathetic manner, but these are not vicious killers. If it is a lion who is marauding a camp, he is shot to death. Viciousness is what we're fighting, not poor little animals."

Speaker Daniels: "Representative Pouncey to explain his vote. Timer's on, Sir. Representative Pouncey."

Pouncey: "Mr. Speaker, Ladies and Gentleman, in explaining my vote, I have always disapproved of capital punishment, but people now are arguing about how they should kill a person. If you were electrocuted, a plain tradesman, or guard or warden can pull the switch. But if you have to be injected with a fluid to kill you, is that a professional killer putting you to sleep, and is there a difference in the cost?"

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Speaker Daniels: "Representative Huff to explain his vote. The timer's on, Sir."

Huff: "Thank you, Mr. Speaker. I...I'm going to vote 'no' on this in the hopes that subsequently some time in the future Representative Davis and I can collaborate on the hands off Amendment. Now, I introduced this Amendment last year and got national-wide attention, and you may be interested to know that the mail I received was split right down the middle 50-50. I think that not only is this humane, but it is a cost effective measure, because all you're going to do is take the criminal that has the proclivity to kill and maim, you're just simply going to deprive him of the ability to do that by depriving him of the means by which he inflicts these heinous crimes. I feel that it is just a matter of time, as soon as we can overcome..."

Speaker Daniels: "Bring your remarks to a close please, Sir."

Huff: "I think it is just a matter of time, Mr. Speaker and Ladies and Gentlemen of the House. As soon as we can overcome the hypocrisy in this society that refuses to give credence to the Biblical mandate, and that rises to the dilemma we find ourselves in now. And all we're doing is sending a clear message to the anti-social individual that he can kill and maim with huma...with impunity. That's one of the reasons you have a nationwide prison population of 300,000 and growing with an annual cost of...that's approaching \$100,000,000. We have over 5,000 prisoners languishing on death row right now, because we have the inability and the guts to protect society."

Speaker Daniels: "Representative Darrow to explain his vote. The timer's on, Sir."

Darrow: "Mr. Speaker, I'd ask for a verification should this receive 89 votes."

Speaker Daniels: "You'll be recognized for that purpose, Sir."

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Representative Winchester to explain his vote. The timer's on, Sir."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I am just a simple old country boy from the southern part of the state who believes in an eye for an eye and a tooth for a tooth. My theory and most of the theories of my constituents is that when you convict...or commit a heinous crime, and you're sentenced to the death penalty is, 'Baby, you ought to burn'. But if we can't burn them, then let's give them the injection. I vote 'aye'."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 90 'ayes', 73 'no', 5 voting 'present'. The Gentleman from Rock Island, Representative Darrow, requests a verification of the affirmative vote. The Gentleman, Representative Davis, requests a Poll of the Absentees. Will all Members please be in their seats? Will those not entitled to the floor please retire to the gallery? May we please have some order?"

Clerk Leone: "Poll of the Absentees. Beatty, Flinn, Hallstrom, Martire, McClain, Satterthwaite, Margaret Smith, Vinson and Mr. Speaker."

Speaker Daniels: "Representative Satterthwaite. Record Representative Satterthwaite as 'no'. Representative Darrow, there are 90 'aye' and 70 'no'. Proceed with a verification of the Affirmative Roll. Will all Members please be in their seats?"

Clerk Leone: "Poll of the Affirmative. Alstat, Barkhausen, Barnes..."

Speaker Daniels: "Excuse me, Mr. Clerk. Representative Deuchler."

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Deuchler: "'Aye'."

Speaker Daniels: "Change the Lady from 'present' to 'aye'."

Clerk Leone: "Continuing with a Poll of the Affirmative. Bartulis, Bell, Bianco, Bradley, Brummer, Carey, Catania, Christensen, Conti, Daniels, Davis, Deuchler, Deuster, DiPrima, Jack Dunn, Ralph Dunn, Ebbesen, Ewing, Fawell, Virginia Frederick, Dwight Friedrich, Giglio, Grossi, Hallock, Hastert, Hoffman, Hoxsey, Hudson, Huff, Jones, Kane, Karpiel, Jim Kelley, Dick Kelly, Klemm, Kociolko, Koehler, Kulas, Kustra, Leverenz, Loftus, Macdonald, Margalus, Mautino, Mays, McBroom, McCormick, McMaster, Ted Meyer, Roland Meyer, Miller, Mulcahey, Neff, Nelson, Oblinger, O'Brien, O'Connell, Olson..."

Speaker Daniels: "Excuse me. Representative Darrow, Representative Stearney requests leave to be verified. The Gentleman has leave."

Clerk Leone: "Continuing with a Poll of the Affirmative. Ozella, Pechous, Peters, Piel, Pullen, Rea, Reed, Richmond, Rigney, Robbins, Saltsman, Slape, Harry Smith, Stanley, Stearney, C. M. Stiehl, Swanstrom, Tate, Topinka, Tuerk, Van Duyne, Vitek, Watson, White, Wikoff, Winchester, Woodyard, Younge, Yourell and Zwick."

Speaker Daniels: "Representative Darrow, questions of the Affirmative Roll?"

Darrow: "Bell."

Speaker Daniels: "Representative Bell, Tim Bell. The Gentleman in the chambers?"

Darrow: "Is the count...by the way, is the count 91?"

Speaker Daniels: "Yes, it is."

Darrow: "Alright, Bell."

Speaker Daniels: "Representative Bell. How is the Gentleman re...here he comes. He's in the back of the chambers."

Darrow: "Bianco."

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Speaker Daniels: "Representative Bianco. The Gentleman in the chambers? Representative Bianco. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Darrow: "Catania."

Speaker Daniels: "Representative McBroom requests leave to be verified. He's up front here, Sir. Leave is granted. Alright, Representative Catania. She's over here."

Darrow: "Ebbesen."

Speaker Daniels: "Ebbesen is in the aisle."

Darrow: "Hoffman."

Speaker Daniels: "Hoffman, Gene Hoffman. The Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Darrow: "Dwight Friedrich."

Speaker Daniels: "Dwight Friedrich. Representative Friedrich. The Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Darrow: "Virginia Frederick."

Speaker Daniels: "Virginia Frederick is at her chair."

Darrow: "Alstat."

Speaker Daniels: "Wayne Alstat is in his chair as always."

Darrow: "Hudson."

Speaker Daniels: "Representative Hudson is by his chair."

Darrow: "Hastert."

Speaker Daniels: "Representative Hastert. Representative Hastert. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

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Speaker Daniels: "Remove him."

Darrow: "Kulas."

Speaker Daniels: "Representative Kulas, Myron Kulas. The Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Darrow: "Flinn."

Speaker Daniels: "Flinn? Monroe Flinn. The Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Would you care for him to vote, Sir?"

Darrow: "No, that's fine. Margalus."

Speaker Daniels: "Representative Margalus is by his chair."

Darrow: "Oblinger."

Speaker Daniels: "Representative Oblinger is at her chair as always."

Darrow: "O'Brien."

Speaker Daniels: "Representative O'Brien. Representative O'Brien. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him, and Representative Bianco has returned. So, return Representative Bianco to the Affirmative Roll."

Darrow: "C. M. Stiehl."

Speaker Daniels: "Cissy Stiehl. Representative Stiehl. Is the Lady in the chamber? How is the Lady recorded?"

Clerk Leone: "The Lady is recorded as voting 'aye'."

Speaker Daniels: "Remove her."

Darrow: "White."

Speaker Daniels: "Jesse White. The Gentleman in the chambers? Representative White. How is the Gentleman recorded?"

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



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Speaker Daniels: "Remove him."

Darrow: "Yourell. I see. I see him. He's here."

Speaker Daniels: "Yourell. In his chair."

Darrow: "Bradley."

Speaker Daniels: "Representative Bradley is in his chair.

Representative Hastert has returned. Return Representative  
Hastert to the Affirmative Roll."

Darrow: "Swanstrom."

Speaker Daniels: "Nord Swanstrom. He's right over here."

Darrow: "Doug Kane."

Speaker Daniels: "Representative Kane. He's up here talking to  
Representative Zwick. Representative Abramson, for what  
purpose do you rise, Sir?"

Abramson: "How am I recorded?"

Speaker Daniels: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Abramson: "Change me to 'aye'."

Speaker Daniels: "Change the Gentleman to 'aye'. Further  
questions?"

Darrow: "Could I withdraw my verification of Dwight Friedrich?  
It's my understanding he's ill and under the same  
circumstances as some of our other Members."

Speaker Daniels: "If there are no objections. There any  
objections? The Gentleman then withdraws a verification of  
Representative Friedrich. Return Representative Dwight  
Friedrich to the Affirmative Roll, and Representative  
O'Brien is right here, Sir. Return him to the Affirmative  
Roll. Representative Beatty. Record Representative Beatty  
as 'no'. Representative Bullock, I see you pointing and  
shaking your head. Alright. You have nothing to say.  
That's very unusual, Sir. Any further questions of the  
Affirmative Roll? No further questions. Representative  
Griffin. Record Representative Griffin as 'aye'. Now,

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who else? Representative Darrow."

Darrow: "Kociolko."

Speaker Daniels: "I thought you were through, Sir.  
Representative Kociolko is back there, Sir."

Darrow: "He's here. He's here anyhow. If they'd stay in their  
seats, it would have been easier."

Speaker Daniels: "Okay, I agree. He's here, Sir. Further  
questions?"

Darrow: "That's it."

Speaker Daniels: "Representative Ralph Dunn, for what purpose do  
you rise, Sir?"

Dunn: "Excuse me, Sir. I was off the floor a little bit. Did  
I...was I taken off the Roll?"

Speaker Daniels: "No, Sir, you were not. You are recorded as  
'aye'."

Dunn: "Thank you. I want to be 'aye'. Thank you."

Speaker Daniels: "Representative John Birkinbine. How is the  
Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Daniels: "Record him as 'aye'. Alright, has everybody  
voted? The count, Mr. Clerk. There are 90 'aye', 73 'no',  
and the Gentleman's Motion to concur in Senate Amendment #2  
is adopted to House Bill 1971; and House Bill 1971, having  
received a Constitutional Majority, is...Cissy Stiehl has  
returned. She wishes to be recorded as 'aye'. There are  
91 'aye', and House Bill 1971, having receive a  
Constitutional Majority, is hereby declared passed.  
Representative McClain. Representative Birkinbine. House  
Bill 1359, Representative Giorgi. Read the Bill, Mr.  
Clerk."

Clerk Leone: "House Bill 1359, a Bill for an Act in relationship  
to loan grants to corporations from the Corporate Loan Fund  
together with Senate Amendment #1."

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Speaker Daniels: "Representative Giorqi."

Giorgi: "Mr. Speaker, I move we not concur to Senate Amendment #1 to House Bill 2359 (sic - 1359) for some technical reasons. So I move that the House not concur."

Speaker Daniels: "The Gentleman, Representative Giorgi, moves that the House nonconcur in Senate Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the House nonconcur in Senate Amendment #1. Representative LaHood."

LaHood: "Thank you, Mr. Speaker. After that grueling argument about lethal injections and the electric chair, I thought it would be appropriate now to bring up a subject of a much happier occasion. I noticed in the local paper today that we have two birthdays, Representative DiPrima and Representative Collins. But they failed to mention that another distinguished colleague who I feel very close to is also celebrating a birthday, and I wanted the other Members to know that the distinguished Member from Dixon, Illinois, Representative Myron Olson, has reached the young age of 56 today."

Speaker Daniels: "Representative Olson, you care to defend yourself against those slanderous accusations?"

Olson: "Point of personal privilege, Mr. Speaker."

Speaker Daniels: "Proceed, Sir."

Olson: "I wish to answer that I am 54 and not 56, even though my nine months here have aged me dramatically. I share this day with my patron saint, Saint John the Baptist who as...you know what happened to him. And since my vote on ERA and the Judges' pay raise, that's what they have in mind for me in my district. Thank you very much."

Speaker Daniels: "Representative DiPrima, happy birthday. Representative Collins, happy birthday. And, Representative Olson, happy birthday. House Bill 2408,

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Representative J. J. Wolf. 2408. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2408, a Bill for an Act in relationship to fish and wildlife together with Senate Amendment #1."

Speaker Daniels: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. This is the Natural Resources Theft Act which passed this House on the Consent Calendar. The Senate has made some slight adjustments in the Bill which I would think are good adjustments and good Amendments to help strengthen the Bill and to clarify. What we have done in Senate Amendment #1 is establish two situations where the individual be guilty. First of all, it would force the Department of Conservation officers to prove that the game was taken knowingly and for profit and commercial purposes, which is the intent of the Bill to get after the poaching rings in operation that exist in this state. The second portion that they did is to show that possession of a value of excess of \$600 as specified in the original Act - we put a value on them - would be prima facie evidence that the possession was for profit or commercial purposes. What the effect of this was that...that these two categories were created to ensure that the main emphasis was going to go after the large commercial operations and not after a person who would take a few extra fish or some game illegally for home consumption. And I would ask...move, Mr. Speaker, that we do concur with Senate Amendment #1 to House Bill 2408."

Speaker Daniels: "Any discussion? The father of noise pollution, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I promised you, Mr. Speaker, that for your help on our Wrigley Field Bill that I would help out you downstaters, and I want to do this for the downstaters who

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represent people who like to hunt, because this Bill has to do with hunters. And the Bill was okay when it passed out of here, but the Senate has put on an Amendment that I think that anyone who represents any hunters would be...should be aware of. This is a criminal law Bill, and what we're doing in this Bill is putting in what's called a presumption. Now, there's very few presumptions in criminal law, and we try to avoid that, because in criminal law, we want to be able to prove somebody guilty beyond a reasonable doubt. But what they've done in this Bill is to make it a lot easier to convict a hunter, and the way they've done that is they've said that if you are in possession of some animals whose value is in excess of \$600, it is presumed that you knew that they were captured in violation of this Act, so that if some hunter is out there and happens to have some game that is in excess of \$600, he's automatically on the way to being found guilty just because he's got something in excess of \$600 in his possession. Now without this Amendment, the Bill is fine. It just indicates if you were in possession of something \$300 or more and you know it, then you're guilty of theft. But to put a presumption in this Act is a very, very dangerous thing to do. And again, this is not designed at armed robbers, and murderers and rapists. This Bill is specifically designed for people who are hunters. And I think that there's very few people in my district who are hunters, as far as I know, but there's a lot of people downstate. And in exchange for the help that all of you gave me on the Wrigley Field Bill, I wanted to bring this to your attention that it would probably be a much better idea if you would nonconcur with this Amendment, get the Senate to recede from this Amendment and pass the Bill as we passed it out of the House."

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Speaker Daniels: "Further discussion? The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Brummer: "Yes, Representative Wolf, how do you determine the value of the various items of game?"

Wolf: "Alright, that is contained in the Bill. To give you an example...and again, the Gentleman who previously spoke is mistaken, because this pertains only to illegally obtained game, illegally. He forgot to mention that particular point. We put a value, for example, on a duck of ten dollars. So in other words, you would have to have 60 ducks taken illegally in order to be guilty."

Brummer: "...Would a deer..."

Wolf: "\$145."

Brummer: "One deer would be \$145?"

Wolf: "Right, which means..."

Brummer: "What...is deer."

Wolf: "Which means you could take, illegally take, illegally take four deer and still not be guilty."

Brummer: "Well, is a deer taken illegally one that is taken out of season, for example?"

Wolf: "Yes."

Brummer: "Is a deer taken illegally one that is taken without a deer permit?"

Wolf: "Yes."

Brummer: "Okay, is a fish...how many fish would constitute this offense?"

Wolf: "It would depend on the specie. Bass are listed at five dollars a pound, rough fish at a dollar a pound. So, we're talking 120 pounds of illegally taken bass before a person would be guilty. That would be illegally taken."

Brummer: "Well, they would be illegal, obviously, if they had

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that number of bass in the first place, because that'd be in excess of the limit. Is that correct?"

Wolf: "I'm sorry, I didn't hear the question."

Brunner: "Well, wouldn't they simply be illegal in the first place, because there are in excess of the limit if they have 120 bass? They're well in excess."

Wolf: "No, because whatever...you would be allowed your legal limit first, and then you would have to...the average bass are only what? Two pounds, maybe three?"

Brunner: "Well, that is in northern Illinois. Down in southern Illinois the average size is much larger."

Wolf: "Well, let me say this, that of all the sports organizations that support this, the Illinois Wildlife Federation, the Deer Hunters' Association, Fisherman Interested in Sharing Harbors, the Midwest Anglers of Chicago, the..."

Brunner: "Okay, I have...you can comment in closing on that. I have a couple of other questions. On animals, I know there are limitations...there are possession limits. And like, I think the limit on one day on quail that you can take are eight, but the limit on birds that you can have in possession in the freezer are like 16. I would suggest that that possession limit is an item that is frequently violated. You know, people stockpile and wait for a large fish fry or something like that. Would this also be applicable with regard to determining the number of fish or animals that you had in your freezer? In other words, the question is this: If I have in my freezer the limit now, and then I take additional fish or quail in season, would those be illegally taken animals or fish for purposes of this Bill?"

Wolf: "Well, they would be illegally taken; but, first of all, the Department of Conservation officers would have to get a

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warrant in order to go into your freezer. They just can't come up to your house and look in there."

Brummer: "I...I understand that. I mean, but they would be illegally taken."

Wolf: "And unless it was in the excess of the value here, you're still only guilty of a misdemeanor, as the present law is."

Brummer: "Yes. And...And what is the penalty under this Bill? It's a Class 3 felony, I think. I don't recall how long the jail time is for a Class 3 felony."

Wolf: "I'm having difficulty hearing you, Mr. Brummer."

Brummer: "What is the jail time for a Class 3 felony?"

Wolf: "Two to five and up to 10,000 dollars."

Brummer: "Okay. So, under this, if someone for some reason had taken a deer illegally last year, but didn't...didn't dispose of it, didn't eat it, and...and took an additional deer and suddenly had four deer in their freezer; I understand the question of the warrants and things of this nature, but those would be illegally taken because they have more than the allowable number in possession."

Wolf: "Well, in order to be guilty of that, you...he would have to have five illegally taken deer in that freezer, plus any legally taken. So, he's allowed one for each year. If he had one from last year, one from this year, then he would have to have five illegal. That makes a total of seven deer before that person would be guilty, and in order to do that again, the officers would have to obtain a search warrant. And I assure you they're not in the business of going after anyone other than those that are..are poaching rings, those that are in the business of selling for profit."

Brummer: "Thank you."

Speaker Daniels: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I



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want to rise in support of House Bill 2408. I think Representative Wolf should be commended for trying to crack down on some of the poachers that are operating in the state; that are robbing the people of Illinois of all the wildlife. There was a big poaching ring along the Mississippi River a few years ago that would kill four or five hundred deer illegally. One fellow had 600 ducks in his freezer. I think that Representative Wolf has got a very good Bill here and, with the Senate Amendment, I hope that all the Members of the House will concur in it. One Member spoke before about hunters. We're not talking about hunters. We're talking about poachers. This is a Bill aimed at poachers who would, if they had their way, rob us of all the wildlife left so that 20 years or 30 years from now when our children grow up, there would be nothing in the woods or nothing in the fields, nothing in the rivers, nothing left for anybody to see, to enjoy or to hunt."

Speaker Daniels: "Further discussion? Representative Wolf to close."

Wolf: "Well, Mr. Speaker, I would just like to point out, in closing, that the presumption is only on commercial, commercial, I emphasize the word commercial, illegally obtained, which means those that are in the business of stealing our natural resources, not only fish and game, but eagles and other protected species. This legislation, as I said, was supported by the Illinois Deerhunters Association, the Quota Zone Water Fowl Association, Fishermen Interested in Sharing Harbors, Illinois Wildlife Federation, Northern Illinois Anglers, Midwest Anglers of Chicago. Every major sporting organization in this state is behind this Bill 100 percent, and I would ask for concurrence to Senate Amendment #1 to House Bill 2408."

Speaker Daniels: "Gentleman moves that the House concur in Senate

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Amendment #1. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Record Representative Vinson as 'aye'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 167 'aye', none voting 'no', 2 voting 'present', and the House concurs in Senate Amendment #1 to House Bill 2408. Representative McClain. Is the Gentleman on the floor? 2409, Representative J. J. Wolf. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2409, a Bill for an Act to amend the Wildlife Code and the Fish Code together with Senate Amendments #1 and 2."

Speaker Daniels: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker. House Bill 2409 also amends the Fish and Wildlife Code. There were two Amendments placed on in the Senate. The first Amendment was some technical language changes authorizing the Department to...the Department of Conservation to purchase some materials as evidence to the violations of the Code, and there's some technical language changes with regarding to water fowl hunting. The reason for these changes, the exemption of Section which...to close a loophole whereby the landowners in the quota zone could have been exempted from certain restrictions in taking wild geese. In the existing law, the landowners are not exempt from these restrictions, and outside the quota zone, the restrictions do not apply at all. And the quota zone is down in Southern Illinois in Union County and adjacent counties. The effect of Senate Amendment #2 eliminated the authorization which we had in the original Bill whereby the Department of Conservation undercover agents could use up to 5,000 dollars to purchase evidence. This was removed by the Senate. I believe the Senate did make a mistake in Amendment #2. I believe that

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that's an idea whose time has come, and we can possible address that in the next Session of the General Assembly; however, at this time, I would move that we do concur with Senate Amendments #1 and 2 to Senate...to House Bill 2409."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall the House concur in Senate Amendment #2 (sic - #1 and #2) to House Bill 2409. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. This is to Senate Amendments #1 and 2. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 165 'aye', none voting 'no', none voting 'present', and the House concurs in Senate Amendments #1 and 2 to House Bill 2409. Representative McClain. House Bill 2425, Representative Friedrich. Out of the record. House Bill 2450, Representative O'Brien. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2450, a Bill for an Act relating to narcotics racketeering together with Senate Amendment #3."

Speaker Daniels: "Representative O'Brien."

O'Brien: "Yes. Yes, Mr. Speaker and Members, I would move to concur with Senate Amendment #3 to House Bill 2450. It does basically two things. One, it changes the effective date and makes the Bill take effect immediately so that we can continue to fund the MEG units throughout the State of Illinois on a ongoing basis; and the second thing that the Amendment did, at the State's Attorney's request, is it changed the funding formula to the State's Attorneys. And, instead of them getting 25 percent of the funding formula, they now get 12.5 percent, and, at the State's Attorney's request, another 12.5 percent goes to the State's Attorney's Appellate Service Commission. Those are the only changes in Senate Amendment #3. The Bill passed the Senate 58 to nothing and, as you'll recall, it passed the

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House 171 to nothing. I'd ask for everybody to vote to concur in this Amendment."

Speaker Daniels: "Any discussion? Representative Miller."

Miller: "Will the Gentleman yield for a question?"

Speaker Daniels: "Indicates he will."

Miller: "Representative O'Brien."

O'Brien: "Yes."

Miller: "What was the reference you made to the MEG funding level, please?"

O'Brien: "Well, the MEGs funding level will stay at basically the same level that it has been at before, which is 1.3 million dollars. The reason we put the effective date immediately on this Bill is because we are going to be funding the MEG units through the funds that we receive as a result of this Bill."

Miller: "Thank you very much."

Speaker Daniels: "Further discussion? Being none, the Gentleman moves that the House concur in Senate Amendment #3. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Final Action. Representative Breslin."

Breslin: "Mr. Speaker, Ladies and Gentlemen of the House. I am voting 'present' only because I have a conflict of interest in this legislation. My spouse works for the State's Attorney's Appellate Services Commission and one of the concurrence resolutions puts more money into that organization. I have nothing against the substance of the Bill, of course."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 165 'aye', 2 voting 'no', 1 voting 'present', and the House concurs in Senate Amendment #3 to House Bill 2450. House Bill 2451,

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Representative Wolf. 2451. Excuse me. Representative Winchester, you're going to handle that. Okay. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2451, a Bill for an Act making certain appropriations together with Senate Amendments #1 and 2."

Speaker Daniels: "Representative Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The...The Senate added Amendment #1 and Amendment #2. Amendment #1 to the transfer Bill is...is simply a technical Bill that corrects a...a drafting error when the Bill was originally introduced. Senate Amendment #2 pertains to the Department of Revenue, and it was added on to this Bill as, since this was a transfer Bill, it was still available in the Senate. It transfers one million dollars from the State Lottery Fund, among various line items, to the...to the line for expenses of developing and promoting Lottery games. The funds for this line item are needed to purchase additional tickets for the new Lottery Instant games. I would move that we do concur with Senate Amendment #1 and Senate Amendment #2."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2451?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 163 'aye', 4 voting 'no', 1 voting 'present', and the House concurs in Senate Amendment #1 and 2 to House Bill 2451. Representative McClain on the floor? House Bill 2495, Representative Sandquist. Read the Bill."

Clerk O'Brien: "House Bill 2495, a Bill for an Act to amend the Illinois Insurance Code together with Senate Amendment #1."

Speaker Daniels: "Representative Sandquist."

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Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I move that we do concur with Senate Amendment #1 to House Bill 2495. The Bill, when it passed out of here 159 to nothing, set up Amendments to the Insurance Code, which made certain monetary penalties for the filing...for the late filings of returns with the Department of Insurance in connection with retaliatory taxes, which are paid by foreign insurance companies. The Se...effect of Senate Amendment #1 is really technical in nature, and what it does, it makes it clear that where...if a suit is filed by an insurance company where they're ...they're challenging the privilege tax, it...it provides that the...that part which goes for the retaliatory taxes will be paid into the General Revenue Fund; and that the protested privilege tax only will be paid into a protest fund. It's just a technical Amendment that clarifies that, passed the Senate 57 to nothing, and I ask that we concur."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2495. All in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 171 'aye', none voting 'no', none voting 'present', and the House concurs in Senate Amendment #1 to House Bill 2495. Representative McClain on the floor? 2496, Representative Meyer."

Meyer: "Run it."

Speaker Daniels: "Read the Bill."

Clerk O'Brien: "House Bill 2496, a Bill for an Act to amend the Illinois Nuclear Safety Preparedness Act together with Senate Amendments #1 and 2."

Speaker Daniels: "Representative Meyer."

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Meyer: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that the House do concur in Senate Amendments #1 and 2 to House Bill 1296...2496. Senate Amendment #1 provides that the fee for shipments of spent nuclear fuel shall be 1,000 dollars per 'cast' for truck shipments, and 2,000 per 'cast' for rail shipments, instead of the previous 2500 dollars per metric ton of heavy metal. Senate Amendment #2 provides that local government shall be reimbursed by the Department for expenses incurred in implementing and preparing emergency preparedness programs, specified under this Act. There is a limitation of 100,000 dollars per year on these funds. I move for the adoption."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House concur to Senate Amendments #1 and 2 to House Bill 2496. All those in favor will signify by voting 'aye', opposed by voting 'no'. Representative Mautino."

Mautino: "I would just like to point out, I am voting 'aye' on this, but I would like to point out for the record that there is 100,000 dollar fee for those provisions that go to the state and the county for...pursuant to that Section for examination, etcetera. I just thought I'd like to point that out for the record."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 159 'aye', none voting 'no', 1 voting 'present', and the House concurs in Senate Amendments #1 and 2 to House Bill 2496. 2496...2498, Representative Telcser. Read the Bill."

Clerk O'Brien: "House Bill 2498, a Bill for an Act to amend the Illinois Vehicle Code together with Senate Amendments #1, 2, 3 and 4."

Speaker Daniels: "Representative Telcser."

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Telcser: "Mr. Speaker and Members of the House, the Senate added Amendments to House Bill 2498 dealing with UMTD...to the Urban Mass Transit District, and also having to do with studded tires. I don't think they're appropriate at this time, nor do I think the provisions of the Amendments are; and so, therefore, Mr. Speaker, I move that the House do not concur with Senate Amendment #4 and 3 to House Bill 2498."

Speaker Daniels: "Are you nonconcurring in the Amendment?"

Telcser: "I move to nonconcur in both of the Amendments."

Speaker Daniels: "There are four Amendments, you..."

Telcser: "Or all four Amendments."

Speaker Daniels: "1, 2, 3 and 4. The Gentleman moves to nonconcur. On that question, Representative Bowman."

Bowman: "Mr. Speaker, will the Gentleman yield for a question?"

Speaker Daniels: "He indicates he will."

Bowman: "Is this the Republican controlled RTA vehicle Bill?"

Telcser: "I didn't know there was one. Is there?"

Bowman: "Well, Mr. Speaker, this sure looks like a vehicle Bill to me and, not only does it amend the Vehicle Code but the original Bill is really one of the most trivial ones that we have seen. It authorizes the use of articulated vehicles; that is, the bending...the buses that bend in the middle. Of course, they're already being used, so there's really no need for the Bill. Now, we have some Amendments on the Bill that don't do anything. They're trivial, too. The Gentleman is moving to nonconcur in trivial Amendments to a trivial Bill, and the only thing that I can conclude from this is that it is an attempt to get the Bill into a Conference Committee so that they can have a Republican controlled RTA vehicle. And, for that reason, I oppose the Gentleman's Motion."

Speaker Daniels: "Representative Telcser."



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Telcser: "Well, Mr. Speaker and Members, the Gentleman's perception is, indeed, keen. I'd like to remind him, however, that Conference Committees are even-steven, 5-5 and, if he thinks that the Democratic Leader of the Senate or the Democratic Leader in the House will give us a vote to do that, then that just sounds terrific. So, if you want, I'll change my Motion, Representative Bowman, if you will... Do you want to make the Motion to concur?"

Speaker Daniels: "Representative Bowman."

Bowman: "No. I just want to vote 'no'."

Speaker Daniels: "We saw you got your instructions over there. Representative Bullock. Nothing. Gentleman...Representative Beatty."

Beatty: "I support the Gentleman's Motion. I think that it would be good to have a Conference Committee available. If we're going to work out anything on the highways, I think it would be good. I'm not concerned particularly about the highways. I'm concerned about the transit system in the City of Chicago. If there is any possibility of working something out so that we get back the subsidy we once had for the Chicago Transit Authority, I think that there should be a vehicle...vehicle available for this purpose. And so, I believe that the Majority Leader is doing the right thing."

Speaker Daniels: "Representative John Dunn."

Dunn, John: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have no objection to a Conference Committee on this Bill, but I certainly would like to be the Chief Sponsor. I wonder if the Sponsor of this legislation would be happy to relinquish authorship, and...and allow me to assume the position of Chief Sponsor of this Bill."

Speaker Daniels: "Gentleman, Representative Telcser, moves that the House nonconcur in Senate Amendments #1, 2, 3 and 4."

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All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the House nonconcur in Senate Amendments #1, 2, 3 and 4. ...McClain. House Bill 2505, Representative Robbins. Read the Bill."

Clerk O'Brien: "House Bill 2505, a Bill for an Act to amend the Uniform Commercial Code and the Civil Administrative Code together with Senate Amendment #1."

Speaker Daniels: "Representative Robbins."

Robbins: "In adding the Amendment to the Bill, it just makes this law become effectively immediately."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House concur in Senate Amendment #1 to House Bill 2505. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Alexander. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 159 voting 'aye', 4 'no', 2 voting 'present', and the House concurs to Senate Amendment #1 to House Bill 2505. Representative Stewart, your light is on. Okay. Representative Van Dwyne, what purpose do you rise, Sir?"

Van Dwyne: "Thank you, Mr. Speaker. Representative Christensen and I were over in the nurses quarters when the vote was taken on 2496, and we'd like to have leave of the House to be recorded as 'aye'."

Speaker Daniels: "Yourell's rules require you to fill out a slip, if you two could come up here."

Van Dwyne: "Well, I...I would just rather go this route if you would allow me the courtesy, leave of the House to be recorded 'aye', Representative Christensen and I."

Speaker Daniels: "We have objections, and I think Representative Yourell has a standing objection. So you will have to fill

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out a slip. House Bill 2520, Representative Nelson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2520, a Bill for an Act concerning accident and health policies under Illinois Insurance Code and certain health service plan Acts together with Senate Amendment #3."

Speaker Daniels: "Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. I would like to move that the House do concur with Senate Amendment #3 to House Bill 2520. The Senate Amendment is very similar to House Bill 2520 as we voted it out of here a few weeks ago, except that it has been changed so that the rape coverage, which the insurance companies are asked to pick up and pay for, applies to those policies which have a routine physical already as part of their coverage. One of the problems that we ran into was a realization that there are insurance policies issued in this state that are sold under the title of major medical insurance, which is the kind of policy that only comes into effect when you have a very, very substantial claim against the company. And, what we want to do with Senate Amendment #3 is insure that reasonable and legitimate claims are paid by the insurance companies when a insured is the victim of a rape. What we are doing is providing that, if an insured has coverage for routine physical examinations, then they are also covered for the expenses stemming from a physical exam after a rape or a sexual assault. Basically, what we have in Illinois is the Rape Victims Assistance Act, which will pick up the cost if there is a victim of a rape or sexual assault who does not have insurance. We found that, in many instances, hospitals were not checking to see if victims had insurance, because they knew that the state would pay regardless. What we hope to do here is simply insure that

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the insurance will pay in the first instance, and then, if that's not available, the payment will be made through the state through the Rape Victims Assistance Act. I'd appreciate your 'yes' vote on concurrence."

Speaker Daniels: "Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members, I'm going to rise in opposition to this Amendment. When this Bill left the House, if you recall, the thing that many of us were hung up on was the confidentiality portion of this particular Bill. We were told, at that time, by the Sponsor and others, 'Well, don't worry about it. We're going to clean up that confidentiality portion in the Senate'. Well, in looking over this Amendment, I don't think that they cleaned it up. As a matter of fact, I think they left it very much intact as it left the House, and we were not really given our commitment. Basically, what happens over here is that you have destroyed confidentiality. What you're really saying by this Bill, and I would suggest if you look on page five or in a number of pages on the Amendment where it says that the...that now the Department of Health can demand of the insurance carrier that they turn over to it the names of these women who are raped. Well, let me tell you that a woman who is raped very often does not want her name to be transferred from insurance companies to the Department of Health. You know, I must tell you also that the Department of Health does not have a great track record in this particular area. You know, the Department of Health has tried to kill off this program on several occasions. They have actually cut back on their help in administering these programs. For a while, the program was administered by no one. Then it was administered by someone part-time, and I don't know whether it's being administered or who's administering that program

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at this particular time. But, I would tell you that women do not want their names bandied about, you know, from the insurance companies to the Department of Health. It's a very traumatic situation. I think that what we should do is nonconcur in this Amendment, send it back to the Senate, let them clean up the confidentiality portion of it, and let us really make a step in the right direction, rather than opening this door to have raped women's names disclosed to insurance companies. You know, there's a portion in the Bill that says 'Well, the insurance companies can't tell anybody'. But, I just think the Department of Public Health can't tell anybody, but that doesn't mean anything. It really doesn't. You're talking about insurance companies transmitting information to the Department of Public Health. The names are going back and forth. I think that the Amendment has not cleaned up the Bill in wh...in the manner in which we wanted it to be cleaned up. So, I would urge a 'no' vote on this particular Amendment. Let's send it back to the Senate. Let's clean up the Bill, and let's protect these raped women."

Speaker Daniels: "Representative Nelson to close."

Nelson: "Thank you, Mr. Speaker, Members of the House. Basically, Representative Jaffe and I disagree. I believe that the confidentiality of rape victims is protected. I cannot believe that anyone sitting in this chamber thinks that either insurance companies or the Department of Public Health are going to publish lists of rape victims. That simply is not the case. The language in the Section that Representative Jaffe referred to basically says that all information received by the Department of Public Health under this provision shall be held on a confidential basis and shall not be subject to subpoena and shall not be made public by the Department of Public Health or used for any

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purpose other than that authorized by this Section. I think that's perfectly clear, and I would appreciate your 'yes' vote on concurrence."

Speaker Daniels: "Lady moves that the House concur in Senate Amendment #3 to House Bill 2520. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 144 'aye', 20 voting 'no', 6 voting 'present', and the House concurs in Senate Amendment #3 to House Bill 2520. Representative McClain on House Bill 1241. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1241, a Bill for an Act to amend the Unified Code of Corrections together with Senate Amendment #1."

Speaker Daniels: "Representative McClain."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would move to concur with Senate Amendment #1 to House Bill 1241. House Bill 1241 was struck after the enacting clause, and all this Bill now does is creates a three annual compensation increases for the members of the Prisoner Review Board, 4,000 dollars in 1983; 3,000, '84; and 3,000, '85; and I would move for its adoption."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2...1241?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 122 'aye', 34 'no', 5 voting 'present', and the House concurs in Senate Amendment #1 to House Bill 1241. House Bill 2536, Representative Klemm. Read the Bill."

Clerk O'Brien: "House Bill 2536, a Bill for an Act to amend the

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Uniform Commercial Code together with Senate Amendment #1."

Speaker Daniels: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. House Bill 2536 was a Bill that passed out of the House providing for the individual responsibility for bad checks. The effects of the Senate Amendment #1, the present law presently provides that the uniform fee of four dollars is to be charged for each name required to be indexed in the case of a filing of a financial statement by a secured party under the Uniform Commercial Code. The Amendment simply clarifies that this fee can be charged for each name at each address. If there are three addresses, then you would have three charges. This is presently being done, the current practice. It also clarifies that the fee is chargeable for filing or indexing amended financial statements. It appears to be in order, and I do move that the House concur with Senate Amendment #1."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves the House concur in Senate Amendment #1 to House Bill 2536. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative Greiman."

Greiman: "Yes, I did have my light on. I wanted to ask a question. I supposed I could just raise it. I'm going to vote 'present' simply because, I take it, they are increasing the fees that the Secretary of State charges. I guess that's what we're doing, and I wondered whether the Secretary of State is...is not quite as organized as we used to be; that perhaps the Secretary of State in this situation is not organized and not handling the office in such a way to keep the fees low. That may be a possibility. I think we should probably had more debate on this. I...So, I'm going to vote 'present'."

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Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. There are 151 'aye', 2 voting 'no', 13 voting 'present'. The House concurs in Senate Amendment #1 to House Bill 2536. Page two of the Calendar, House Bills Third Reading, House Bill 2517, Representative Davis. 2517, Representative Hallock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2517, a Bill for an Act to amend an Act relating to the Illinois Criminal Justice Information Authority. Third Reading of the Bill."

Speaker Daniels: "Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. House Bill 2517 implements Executive Order #2, which has already become law. It creates the Illinois Criminal Justice Information Authority to replace 'ILEC'. 'ILEC's' funds from the Feds have dried up and is no longer necessary. This Bill will create the Information Authority to keep information coming about criminal justice systems in help to the Governor. I would ask for your support. Thank you."

Speaker Daniels: "Any discussion? Gentleman from Sangamon, Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I would support the Gentleman's Motion to adopt House Bill...or pass House Bill 2517. I think that this legislation is necessary, because there is some question as to the constitutional authority of the Governor's Executive Order to reorganize agencies that are not directly under his control, and I would urge a 'yes' vote."

Speaker Daniels: "Further discussion? Representative Hallock to close."

Hallock: "I would merely ask for your support. Thank you."

Speaker Daniels: "The question is, 'Shall House Bill 2517 pass?'."



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All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 165 'aye', no no...no 'nos', none voting 'present', and House Bill 2517, having received a Constitutional Majority, is hereby declared passed. Senate Bills Third Reading Short Debate Calendar. Senate Bill 1672, Representative Olson. Read the Bill."

Clerk O'Brien: "Senate Bill 1672, a Bill for an Act to amend an Act concerning the collection of child and spouse support. Third Reading of the Bill."

Speaker Daniels: "Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to ask your favorable consideration of this technical Bill, which came to us from the Senate with regard to the Child Support Program. It basically amends the Illinois Public Aid Code and requires the payment of a collection fee to the Department of Public Aid for child support collection services provided to individuals not receiving public assistance. The fee will be 10 percent of the child support amount collected, and Senate Amendment #1 provided for an amount in excess of the stipulated child support payment. The Federal Omnibus Budget Reconciliation Act of 1981 requires, under Title 4D of the Social Security Code, that a 10 percent fee and all child support be collected from individuals not receiving public aid. Failure to comply will result in a five percent reduction of the matching funds, which our Department of Public Aid estimates would be somewhere in the neighborhood of 22 million. Since 1975, individuals not receiving public aid have been allowed to participate in this program. In the past, there was a one-time enrollment fee. There has been

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no collection fee to defray the cost of enforcement and collection. Mr. Speaker, I ask for the favorable acceptance of this Bill. Thank you very much."

Speaker Daniels: "Any discussion? Gentleman from Stephenson, Representative Rigney."

Rigney: "Sponsor yield?"

Speaker Daniels: "Indicates he will."

Rigney: "Representative Olson, is this your first Bill?"

Olson: "This is my first Bill. The..."

Rigney: "Why did you take such a poor Bill for your first one. Usually around here, we like to be able to help Sponsors on their first Bill. Your birthday and everything, but I'm just sorry. I mean I was a Member of the General Assembly, I guess I'm going to have to do what I have to do."

Olson: "I took this...I took this first Bill, Representative Rigney, because I knew you would rise with a question. I know you are seeking a high profile in your candidacy for the Senate District in the 35th. I thank you for your comments."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Huskey."

Huskey: "Representative Olson, how does this affect the collection in Cook County on the Bill, which you are familiar with. I know, because you..."

Olson: "How does it affect collection?"

Huskey: "On the ten percent charge."

Olson: "Yeah. This will be the...Senate Amendment #1 provides for a ten percent collection in addition to the amount stipulated. It would be the same as the normal provisions under the Title 24 program that we looked at a couple of years ago in Section 7-9 through 7-12."

Huskey: "Well, does this...this overrules the provision that's in the Bill now...of the charge that they have now."

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Olson: "Are...Are you speaking of..."

Huskey: "The Cook County provision alone."

Olson: "No, this...this has to do with a technical Amendment coming out of the Federal Government under Title 40 monies; where they put up 75 percent of the money, the state puts up 25."

Huskey: "Yes, but I thought we had provisions in Cook County that the money would be collected in a different manner than on this for the individual non-public aid recipients."

Olson: "No. No, this is not related to that. This is a technical Amendment to the Omnibus Reconciliation Act of last October which says we must have this enabling legislation in place, otherwise be subject to a five percent penalty which would amount to 22 million dollars."

Huskey: "Okay."

Olson: "Thank you."

Speaker Daniels: "Further discussion? Gentleman from Adams, Representative Mays."

Mays: "Yes, Mr. Speaker, I rise in support of this Bill. It's compliance legislation similar to a Bill that I had regarding child support payments, House Bill 2507. As Representative in...Representative indicated, we could stand to lose up to five percent of our reimbursement on AFDC payments should this not become enacted. That's the stick they hold over our head. So, I would urge every Member of the General Assembly to support this Bill and give Myron a find send off on his 58th birthday and everything else. Thank you very much."

Speaker Daniels: "Representative Catania."

Catania: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Daniels: "Indicates he will."

Catania: "Representative Olson, is it..."

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Olson: "Yes, Ma'am."

Catania: "Is it correct that it is the parent who is delinquent in paying the child support who's going to have to pay this, rather than the person who's trying to collect the child support."

Olson: "The respondent will be responsible for the ten percent penalty."

Catania: "Thank you. On the Bill, Mr. Speaker, I think this is an excellent Bill and, eventually, I think it ought to pass."

Speaker Daniels: "This is Short Debate. Is there anyone in opposition? Being none, the question is 'Shall Senate Bill 1672 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative Telcser in the Chair."

Speaker Telcser: "You want to take it out of the record, Representative Olson? You're in trouble."

Olson: "I'm prepared to put it on Postponed Consideration if I get the requisite number."

Speaker Telcser: "I don't know. I don't know. First Bills don't have that privilege, I don't think. Have all voted who wish? Take the record. On this question there are 154 voting 'aye', 6 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1231. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1231, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1231 is the one that we discussed at some length yesterday, dealing with procedures under the juvenile court

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Act. This Bill as amended provides for automatic transfers under certain felony categories, as you heard during the discussion of the Bill. It's been worked for a period of over one year in the Senate. It's been worked considerably in the House by the Judiciary Committee, and I would move for the adoption and passage of the Bill."

Speaker Telcser: "Is there any discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Last night, I asked for a fiscal note on this, you may recall. None was filed, because there was a vote taken to suggest that perhaps, one was not needed. I would like to suggest to the... the Sponsor and to the House that I was very sincere in my re... request for a fiscal note, and let me tell you why. The Cook County State's Attorney estimates that Senate Bill 1231 would mandate the transfer of 800 youth per year. If all of these youth are held till sentencing, this would mean that there would be an increase of 750 youth per year held for the... an average of 250 days, or an increase of 187,500 in youth detention days. The official 1981 figure on cost per youth per day held in detention, is 83 dollars. With no new construction, and I repeat that, no new construction, the cost of holding these youth in Cook County would be about 15.5 million dollars. That, Ladies and Gentlemen of the House, suggests that even if the State's Attorney's figures are only approximately correct, that this could very well impose a substantial cost on local government. And I think we do need to know exactly, or to the best of the abilities of the Sponsors, how much this Bill will cost local government; and to the extent that these juveniles will be adjudicated in Adult Criminal Court, will be sent to the State Department of Corrections, I think we need to know some estimate of... of how many

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additional commitments to the Department of Corrections there will be. We already are at our capacity at the Department. In fact, we are... we are over our capacity. We are under court order to cease from double celling, and we have to expand our capacity. Therefore, any additional youth held... or transferred to the Department of Corrections for custody there, would increase our need for additional prison space. These are very serious matters, Ladies and Gentlemen of the House. I am sorry that the... the Sponsor of this legislation has not seen fit to inform us in these matters, and I think that we would be derelict to... in our duty if we support legislation like this without knowing exactly how much it will cost. So for that reason I suggest that a prudent vote in this really would be a 'no', or perhaps a 'present' vote - to vote 'present' until such time as these... these questions are answered. Thank you."

Speaker Telcser: "The Lady from Lake, Representative Frederick."

Frederick: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I reluctantly arise to oppose Senate Bill 1231. Yesterday, we had a chance to modify this Bill with Representative Getty's Amendment, which would have allowed a modicum of individualization, rather than carte blanche transfer of all juveniles involved in very serious crime. The Commission on Children supported Mr. Getty's Amendment. Granted we all want to see juveniles who commit serious adult crimes such as murder and rape etcetera, brought to justice. However in the State of Minnesota who have this kind of law, the results have been less numbers of juveniles being brought before the court, because of the automatic transfer, and so the improvement that was hoped for just hasn't occurred. For these reasons, the Commission on Children opposes this legislation and urges

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that the Bill be taken back and compromised in a more acceptable form. Thus, I ask you to vote 'no' on Senate Bill 1231."

Speaker Telcser: "The Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support of Senate Bill 1231. Representative Daniels has indicated, both today and yesterday, the ultimate impact of this legislation. But I want to enter into the record and to cite for the Members of this House a few statistics that were compiled by the Cook County State's Attorney's Office relative to the possibility of automatic transfer of juveniles to adult court, as proposed under Senate Bill 1231. The period of time in question was the first quarter of '82 and the cumulative year effect in 1981. In the four areas in which this Bill addresses; in aggravated battery, armed robbery with a gun, deviate sexual assault, and murder, we find that there were a total of 86 cases of murder, and 57 cases of rape, and 39 cases of armed robbery with a gun, and 21 cases of aggravated battery. Now, we're talking about two and a half percent, 2.5% of the cases that come before the Cook County State's Attorney's Office in juvenile courts in Cook County, out of a possible 24,000 cases. Ladies and Gentlemen, what we're talking about in this legislation is providing once and for all a clear statement of intent and a clear statement of principle to the victims of crime, not only in Cook County, but in the State of Illinois. We understand that juveniles, fifteen and sixteen year olds, who engage in the acts of murder, engage in the actions of deviate sexual assault and armed robbery with a gun, that these acts are committed willfully and wantonly, and they're done so with the intent to do harm. And what we

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say in effect is that those individuals who are street-wise juveniles should be given the same type of consideration before a bar of justice, of an adult who is street-wise and happens not to be a juvenile. There are safeguards in this Bill to protect discretion for Judges. The Bill, in Section 6.b indicates quite clearly that if the charges are reduced in a preliminary court hearing, that the case can be transferred back to juvenile court. It also indicates that the charges are reduced after a guilty plea, or trial, that the Judge may use his discretion in the disposition available under either the Juvenile Code or the Criminal Code. So the safeguards are in the Bill for those who are concerned about the kids, but I think what we want to state clearly, what Representative Daniels is stating clearly by sponsoring this legislation, what State's Attorney Daley is stating clearly by proposing this concept; is that we are not going to allow street juveniles... street-wise juveniles to enter into these acts and not be punished accordingly. I urge an 'aye' vote. It's the only sane vote, if we want to make our streets safe once again."

Speaker Telcser: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I rise in support of Senate Bill 1231. I first want to start out by confessing error to Representative Getty. When I spoke yesterday on the Fiscal Note Act, I was wrong - unintentionally, but nonetheless, I was wrong in what I said. I confess. I want to set the record straight on that. On the Bill, Senate Bill 1231 deals with the automatic transfer. We've heard that talked about, and we'll hear that talked about more. The Bill does some other things which are also good. It deals with the record-keeping procedure in allowing a realistic method of dealing with that through the police



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authorities while still protecting confidentiality. It allows commitment to the Department of Corrections when, under all the present standards, including whether it is or isn't good for the minor, but also when it's necessary to protect the public. Now, there's nothing wrong at all with saying that the purpose of the criminal justice system is, after all, not primarily to protect those who commit the crime, but those who are victims of that crime. It permits the continuation, under supervision kind of process, but it has provisions to avoid the abuse of that. It makes it a mockery that allows convicted criminals to be on the streets committing more crimes all the time, supposedly being under supervision. But on the main point it does provide for the automatic transfer. A kid, fifteen, sixteen years old who's committed a murder, who's committed a rape, who's committed a very serious crime, is not a kid in the sense that we ought to be concerned about that. That person who has been raped, that person who's been killed, is just as dead and just as violated and just as harmed as if it were done by somebody twenty-five or thirty-five or a hundred and five. The public wants protection. They want it in a reasonable manner that still protects the rights of the accused. This Bill strikes that balance, while still improving the protection of the public. That's what we were sent here to do. That's what your constituents want. This is a good Bill. Ritchie Daley, the State's Attorney of Cook County has done a good job in bringing this to us. The Senate has done a good job in modifying the Bill to make it even better. It's a good Bill. It should be supported and it should pass overwhelmingly."

Speaker Telcser: "The Lady from Cook, Representative Currie."

Currie: "Thank you Mr. Speaker and Members of the House. The

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Sponsors of Senate Bill 1231 are selling this as a measure that will get tough on juvenile crime. I'm fearful that if Senate Bill 1231 in fact is enacted, the results will be exactly the opposite. New York has experience with... with mandatory removal of the juvenile offenders who commit serious offenses to adult court. Their experience should cause alarm in the hearts of those who think this might be the solution for Illinois. In fact the adult court System in New York as is true in Illinois as well, is much more clogged, much slower; delays are a good deal more frequent. Of the 17,000 youths arrested and automatically transferred in New York to adult court, a year and a half later, only 7% of them had yet been sentenced to jail - fewer than 120 out of the 17,000 that were automatically transferred. The delays will be longer, the experience in adult court is more likely to find a first offender not guilty. In the New York experience, the convictions that did result in more than 90% of those cases, the actual conviction resulted from a plea bargaining, not from a court's decision that the actual crime committed was worthy of a particular kind of sentence. If we transfer that experience to Illinois, and we know already that the probation services in the State of Illinois for adult court, are much less well able to handle numbers of offenders than are those in the juvenile court, you'd be talking about putting kids on probation, on a probation service, when their case worker is in charge of 200 cases. In juvenile court, the probation officers handle loads that are only about 30, on average. If you really want to be tough, if you want to make sure that the kids who commit the violent crimes are properly treated in the criminal justice system, you'd better look a second time at Senate Bill 1231. My second point is that, in fact, the juvenile

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court system is working well in the State of Illinois. The number of juveniles adjudged delinquent has in... has increased dramatically since 1979. In fact, it has gone up by almost 100%, although the number of youths arrested and brought before the court have increased by only 50%. The number of commitments to the Department of Con... Corrections has increased by over 100%. I would say that there isn't any evidence in this record to suggest that juvenile court is not working. I think there are reasons to fear that adult court is not the place to put these large numbers of youths, most of whom in fact will be back on the streets more quickly than they would be if adjudicated in the juvenile court system, and I am unaware that the opportunity that the State's Attorney presently enjoys to ask for transfer has been in any way abused or undermined by the juvenile court itself. If you think it's time to get tough on juvenile crime, I urge you to vote against Senate Bill 1231."

Speaker Telcser: "The Lady from DuPage, Representative Fawell."

Fawell: "Thank you very much, Mr. Speaker. I was in the Judiciary Committee when this Bill originally was brought before us. I asked why we had to have a Bill like this, and I was informed that there was a Judge in Cook County who happened to be of a certain ethnic heritage who absolutely refused to transfer any citizen, young citizen, of the same origin, over to the adult court. I admit this was a very sad situation. After eighteen months, they transferred him out of the Juvenile System. I would suggest to the Sponsor, who comes from the same county I do, and who has the same Juvenile Judge who I do, who violently opposes this Bill, that perhaps, although there are problems in Cook County, that perhaps Cook County might be better off solving their problems in other ways, such as

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as with Mr... with Representative Getty's Amendment. It was a good Amendment. I think it would have been a good compromise. It would have made any juvenile charged with murder automatically transferred to the adult court. The rest of them would have been automatically transferred, but there would have been some discretion left to the Judge. If we are going to pay our Judges 65,000 dollars a year it seems to me then we must assume that they have the brains to go with it; that they know how to handle these cases, and we, down here in the Assembly do not know all the facts and the circumstances that surround each case. I think this is a bad Bill. I agree it should go back into conference. I think an Amendment similar to Representative Getty's should be placed on it, and then bring it back and let's do it properly. Let's not saddle the entire court system in the entire State of Illinois with a Bill to solve Cook County's problems. Let's have a good Bill that we all can live with. Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Zito. Representative Zito. The Gentleman from Cook, Representative Piel. The Lady from LaSalle, Representative Hoxsey."

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

Speaker Telcser: "The Lady has moved the previous question. All in favor signify by saying 'aye', opposed 'no'. The previous question has been moved. Representative Daniels to close."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, you heard the discussion yesterday, when we talked about the various Amendments offered to this Bill, and you heard the discussion when we talked about the fact that 23% of the violent crime in this country today is committed by juveniles, and you heard the discussion when I suggested to

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many of the people that had concerns about the Bill, that they come over to my desk and review some of the records on what's happening with juvenile crime today in the State of Illinois, and in the questions of the transfer, when we're talking about some very important felony cases. We're talking about cases of murder, rape, deviate sexual assault, and armed robbery with a weapon. How else are we going to solve the problems that we're dealing with today? How else are we going to deal with the juvenile problems? How else are we going to deal with the increasing crime rate and the 23% factor? And yet, it's a modest Bill - a modest, because what we're dealing with is 2.5% of the delinquency petitions that are filed today - 2.5%, and Ladies and Gentlemen of the House, I do commend the State's Attorney of Cook County, Richard Daley, for bringing this Bill to the attention of the House, and I commend the Senate Committee for its year-long study, and the Judiciary Committee in the House for its input in Amendments. And I ask you in the interest of curbing some of the juvenile crime that we're experiencing today, that you support this legislation and give it a resounding 'aye' vote."

Speaker Telcser: "The question is, 'Shall Senate Bill 1231 pass?'. All those in favor signify by voting 'aye', the opposed by voting 'no'. The Gentleman from Cook, Representative Cullerton, to explain his vote."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I also would like to join Representative Daniels in commending the State's Attorney in supporting this Bill, but I would remind everyone that I along with Representative Ronan sponsored House Bill 1708 which was an automatic transfer Bill which came out of the Gang Crime Study Commission, which did pass the House and was... still in the Rules Committee in the Senate. I want to... the

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State's Attorney of Cook County to also know, though, that I did not vote for this Bill in Committee because it was a different Bill then, and that the Sponsor, Representative Daniels, has amended the Bill to take out some objectionable parts and now I feel it's a.... it's not a bad Bill. It's unfortunate that Representative Fawell, who voted for it in Committee and against it on the floor... I voted against it in Committee and for it on the floor, so perhaps we can straighten out our agreements... disagreements at a later time. I think it's a very important concept. I do agree with it. There are still some parts of the Bill which probably will prove objectionable, and we'll be back next year to fine-tune it, but for now I think it's a very good idea."

Speaker Telcser: "The Gentleman from Cook, Representative Getty, to explain his vote."

Getty: "Mr. Speaker, Members of the House, I rise to explain my 'aye' vote. Some of you may be surprised by that, because of the Amendment which I offered yesterday. Let me explain something to you and especially to my friend Representative Vinson who asked me about the reason for my previously having supported a different transfer Bill. I am of the opinion that the rebuttable presumption is a far more sensible approach than an automatic transfer, because it has the best of all worlds. It will weed out those cases which really shouldn't be sent to the adult court and further crowd the adult courts, and at the same time, it will give the necessary emphasis to those cases that should be transferred to the truly violent people, not the ones caught in the middle. And, it will provide a Judge with a mandate in effect to transfer those cases. I believe however that this Bill on balance is still a good Bill. We have seen that the State's Attorney of Cook County reacted

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to a situation which I decried on this floor last night; that is Judges not following their duty, not following legislative intent. He chose to do it by suggesting an automatic transfer. I don't really think this is the best way. The remainder of the Bill, however, contains many excellent elements. I think that this is a mistake in overkill. I think it's going to cause cases to be transferred which will later result in an inappropriate disposition in sending it back. However on balance I will support it because there has been an abuse. I think we will find ourselves in later days coming back and saying, 'Whoa, we went too far that time. We're going to have to put it back to a sensible plan such as a rebuttable presumption'. Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Henry, to explain his vote."

Henry: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Senate Bill 1231 for several reasons, and I'll be quite brief, but I'm amazed at those who are against this Bill. I would like to know how many youngsters in their districts are committing murder, raping of senior citizens, robbing the poor, and dealing... dealing dope in their communities. I would just like to know, because I'm sick and tired of bleeding hearts telling me, and telling some of my friends what we can and we cannot support. I would like to take some of those juveniles, those tough juveniles, and transport them all to their districts and let them deal with them."

Speaker Telcser: "The Gentleman from Cook, Representative Katz, to explain his vote."

Katz: "Mr. Speaker, Ladies and Gentlemen of the House, I opposed this Bill in Committee. It came out to the floor notwithstanding. I would want to acknowledge that the

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State's Attorney of Cook County and his legislative Representative here responded to every suggestion that I had for improving the Bill, except for the single one of automatic transfer. I disagreed with the State's Attorney on that point, but it is a difficult area, and I do understand the State's Attorney's reluctance to find himself impeded by juvenile Judges when there are... when he is dealing with serious young criminals. It should be pointed out that now that the Bill is passing, and it will pass with my vote. I'm going to vote for it. It does not automatically follow that the State's Attorney has to necessarily, automatically transfer every rape case..."

Speaker Telcser: "The Lady from Cook, Representative Macdonald, to explain her vote."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I guess this is the Bill that is the Bill that kills the gnat with an elephant gun. I happen to feel that it is really incredible that Illinois, that has always been the leader in the United States in juvenile courts and in handling of juvenile cases; we were the original state to establish a juvenile court system, and we have been very, very careful to protect our juveniles, and I would say this; that blackmail also is a crime. And, for those children, and some of them are, and those juveniles who are blackmailed by other females in the case of rape or in some other category, they can be taken directly to an adult court. I too think there should be some discretion in between, and I think without the Getty Amendment, or without some kind of common adult sense for juveniles, that this..."

Speaker Telcser: "The Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, I think we just had a sample of how



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ridiculous it is to permit the Explanation of Votes. The last four people explaining their vote - there's 134 votes up there. I think that's absolutely ludicrous for us to do anything of that sort. I think the Leadership should get together and put a stop to it. We're... We're in the waning hours of the Session. Let's get something started. We're doing business."

Speaker Telcser: "Your point is well taken. Have all voted who wish? Take the record. On this question, 137 voting 'aye', 30 voting 'nay', 1 answering 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1243. Read the Bill."

Clerk O'Brien: "Senate Bill 1243, a Bill for an Act making appropriations to the Department of Transportation. Third Reading of the Bill."

Speaker Telcser: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House Senate Bill 1243 appropriates 2,080,000 dollars to the Illinois Department of Transportation for the preparation of designs... for the preparation of designs, plans and specifications, acquisition of right-of-way for the lower Des Plaines River and tributaries flood management plan as adopted by the Division of Water Resources. Originally, the appropriation was for ten million dollars. The Department of Transportation, to their credit, has come up with an excellent alternative to benefit such communities as Des Plaines, Schiller Park, Franklin Park, Northlake, Bellwood, Broadview, Itasca, Wood Dale, Addison, Lombard and Elmhurst on a plan that would benefit these communities in flood control. The appropriation is for two million dollars. It's been approved by the Illinois Department of Transportation, and I request your favorable support."

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Speaker Telcser: "Is there any discussion? The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Will the Sponsor yield to a question or two?"

Speaker Telcser: "He... He indicates that he will."

Lechowicz: "Is this the same Bill that Speaker Redmond was so vitally interested in when he was Speaker in reference to alleviate the flooding problem in DuPage County?"

Daniels: "It... It certainly is, and to the Speaker's credit, he had been working on this for some time, and it's a plan right now that's going to work and going to be put in motion, and he certainly had worked on it for many years, to his credit."

Lechowicz: "Thank you."

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

Leverenz: "Will the Sponsor yield?"

Speaker Telcser: "He indicates that he will."

Leverenz: "The dollar amount, again, is how much?"

Daniels: "2,080,000 dollars."

Leverenz: "And what will that money go for, exactly?"

Daniels: "It will go for a proposed alternative plan which would include the following components: modification of the existing dam at 'Bussey Woods' Reservoir, construction of two small reservoirs on the Spring Brook Tributary of Lower Salt Creek in DuPage County, one mile of channel improvement in the Oak Brook area, and modification of associated recreational agreements with the Cook County Forest Preserve and would... and would benefit some approximately 30 communities, including the communities where you live."

Leverenz: "The money goes for those items?"

Daniels: "Yes, Sir."

Leverenz: "The channelization, what is the cost of the

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channelization of one mile?"

Daniels: "You're talking about the one mile of channel improvement on the Salt Creek Stream?"

Leverenz: "That's correct. I understand that this deals specifically with Salt Creek."

Daniels: "Right."

Leverenz: "And has no bearing specifically on the Village of... or the City of Des Plaines, the Village of Rosemont, the Village of Schiller Park, the Village of Franklin Park, and the unincorporated area, has nothing to do with Silver Creek. So specifically, just trying to clean up your... your presentation, it doesn't help those communities exactly. This goes for the purchase of some park district property in the County of DuPage?"

Daniels: "State that again."

Leverenz: "Will this purchase any park district property in the County of DuPage?"

Daniels: "Possibly."

Leverenz: "What... Well, what is that possibility? How much park district property in the County of DuPage?"

Daniels: "We don't know yet, because the preparation of the designs, plans and specifications, and acquisition of right-of-way are in the formulative stages right now. But the appropriation and the estimated amount...and the maximum amount is two million dollars, down from the ten million which, as you know - when Speaker Redmond was working on this legislation - was the original appropriation that he and I put in and was passed by this House. We're happy with the alternative, because we're saving some eight million dollars from that original appropriation with this alternative plan."

Leverenz: "There was never any... Where does the nineteen million dollar appropriation you just... you just mentioned come

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from?"

Daniels: "Ten million dollars you're talking about?"

Leverenz: "There was a ten million dollar amount to purchase the Elmhurst Quarry, but this 2.8 million purchases part of the quarry, is that correct?"

Daniels: "No, Sir, it does not. The quarry is untouched by this Bill."

Leverenz: "The quarry is untouched."

Daniels: "Yes."

Leverenz: "Then you have to be buying the park district land in Cook... in DuPage County. Is that correct?"

Daniels: "There will be some land acquisition, that's correct, depending upon the final plans as they come out."

Speaker Telcser: "Anything else, Representative?"

Leverenz: "I'm confused. He's talking about two different things. In his earlier presentation, he mentions that this is going to provide flood protection to thirty different towns. It, in fact, does not do that. I am in basic support of this Bill and the appropriation. The fact is, the Gentleman cannot tell us how much park district property's going to be purchased. It is tied to part of the Elmhurst Quarry acquisition of sorts, but allows for the owners of the Elmhurst Quarry to continue the mining of the stone. It provides for channelization, but it wrecks the federal application for about 43 million dollars. This was tied to the Silver Creek, and 102 and 106 basin, part of the Des Plaines River project. And the Republican Staff analysis to the Amendment that I offered which did not get offered to the Bill for 6.3 million, specifically states that there is no reason to use state CDB money, because they are going to put it in as part of the federal application. When you do it this way, you will destroy the 1.72 cost benefit ratio to the total project. But I just

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think that the Gentleman should be more accurate in the presentation that he makes."

Daniels: "Well, DOT has been kind enough to come running out when they heard your statement, because we know that you wanted an additional six million dollars tacked on this Bill for Silver Creek, which we understand there's some federal funding for, and they have advised me, so that you're aware, Representative Leverenz, as you probably were before, that there will be no additional park district land acquired, that all they're going to do is... is subject it to some restructuring, and that it will not affect the level in 'Bussey Woods'. And I might say that this is a Bill that is very supported by all of the Legislators in the area. I know Representative Loftus is supportive of it as is Representative Hoffman, and Speaker Redmond has been through his efforts, and there are a substantial number of communities that will be substantially benefitted by this Amendment."

Leverenz: "Well, that's exactly my point then, and you have underlined it. You said earlier that it was going to go for the purchase of some park district property in DuPage. Now you say that the Department of Water Resources indicates that it will not. Does it..."

Daniels: "I said that would depend upon the final plans, designs, and specifications. The gentleman from DOT has advised me that it's their opinion that it will be not necessary to purchase any additional park district property, and minimal land acquisition."

Leverenz: "Then, it's 2.8 simply for planning..."

Speaker Telcser: "Representative, could you... could you conclude and get to the point and debate the Bill, please?"

Leverenz: "Yes. I will vote for the appropriation to the Bill. Speaker, I'll vote for it. It's 2.8 million. Clearly

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though, the Gentleman cannot tell us what's going to be done with it. The only thing that's for sure is that there's going to be some channelization. It further wrecks a federal application that was for the entire Des Plaines area. But apparently, the master plan of doing everything at once, utilizing federal money which the analysis shows for the Amendment that I had drafted, doesn't fit with this Bill, and that the Gentleman should understand what he's talking about when he presents the Bill."

Daniels: "I appreciate your willingness to give us an additional 700,000. We're only asking for 2,080,000, not 2,800,000."

Speaker Telcser: "The Gentleman from DuPage, Representative Loftus."

Loftus: "I... I stand in favor of this Bill. And just so that there is no misunderstanding, this is the Bill that was originated by Speaker Redmond several years ago. It's a modified version. It's a cheaper version of it, but basically this solves the same problem as would have been solved if the quarry was purchased, and there is no purchase of any quarry property. Thank you."

Speaker Telcser: "The Gentleman from Cook, Representative Zito."

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

Speaker Telcser: "He indicates that he will."

Zito: "Representative Daniels, can you once again reiterate to me what help this is going to be to my district, the Leyden Township area? You're familiar I'm sure with the flooding problems we have in that area as well, and I'm very concerned before I cast my vote on what help this money appropriation's going to be to the people in Leyden Township. Further, Representative, if you can tell me what dollar amount will be spend... spent in my district in Leyden Township."

Daniels: "The overall plan devised by DOT which - this is part of

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the overall plan and part of the project - this particular part, which is an alternative plan as submitted, would only affect the Lower Salt Creek area."

Zito: "So in other words, this is going to be of no benefit to the people in my area."

Daniels: "DOT advises me that it will be, because it's part of an overall plan that will fit in together and be part of their master flood control program."

Zito: "Lee, maybe you can tell me. Whatever happened to the plans that the DOT had for retention basin 102 and 106?"

Daniels: "They advise me that they're waiting for federal authorization, and they, like you, are very anxious to move forward with that."

Zito: "Are these plans going to include - and you have DOT people there, maybe they can tell us. Are these plans going to include retention basin 102 or 106 being realized or... or similar facilities. Is 102 and 106 going to be built, and... and are these plans inclusive of that... that building?"

Daniels: "Representative Zito, I can tell you that the Department of Transportation, like you, are very concerned with your structures, 102 and 106, and they say and tell me, 'Yes, they will be constructed'. And they, like you, are anxious to get this going as soon as possible, and the federal authorization is what they're waiting for right now."

Zito: "Are we waiting for any federal money for this plan, or is all... all going to be state funds?"

Daniels: "The two million is just state funds."

Zito: "Mr. Speaker, to the Bill. Ladies and Gentlemen of the House. This has been a serious problem, not only in DuPage County, but in the part of suburban Cook County that I represent and Representative Leverenz serves as well. Representative Leverenz had an Amendment not too long ago

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for 6.3 million dollars to complete a plan that was already planned for, that was already in the blueprint stage, for two retention basins that would have alleviated the problems that we experience in our district. Unfortunately, this 6.3 million dollars that was appropriated for never was tacked on in the Appropriations Committee or here on the House floor. It's unfortunate, because now we come in with a second plan allocating money - state money - that we could have used federal money for, but we're allocating state money now to have another plan, a third plan or a fourth plan. This problem is perpetrated for twelve or fifteen years. I'm totally confused with what Representative Daniels is going to try to attempt. I'm going to vote 'present', unless he can explain what this money is going to be spent for, outside of the fact of planning. We know what the problem is. It's flooding in that area. Let's spend some money to do something about the problem, rather than spend money to study the problem further. Thank you."

Speaker Telcser: "The Gentleman from DuPage, Representative Daniels to close."

Daniels: "Mr. Speaker and Gentlemen of the House, I'm very pleased that I can present this Bill to you today, which has been a long process in saving some eight million dollars from the original appropriation that Members of this House authorized at the level of ten million. This is a viable and workable alternative plan that will be put in operation to favor many communities, and a master plan that as Representative Zito brought out will benefit a great substantial area in Cook County and DuPage. So, I seek your favorable support."

Speaker Telcser: "The question is, 'Shall Senate Bill 1243 pass?'. All those in favor signify by voting 'aye', the



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opposed by voting 'no'. Have all voted who wish? Take the record. On this question, there are 120... 133 voting 'aye', 9 voting 'nay', 12 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 12... Representative Karpziel, 'aye'. Margalus, 'aye'. Harry Smith, 'aye'. Boucek, 'aye'. Senate Bill 1251. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1251, a Bill for an Act to amend an Act to establish an unpaid Commission on Intergovernmental Cooperation. Third Reading of the Bill."

Speaker Telcser: "Gentleman from Cook, Representative Peters. Representative Daniels in the Chair."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1251 would give to the Commission on Intergovernmental Cooperation the authority to hold a series of hearings over the summer in regard...and next year, in regard to the question of block grants. I believe the purposes of this Bill were well debated when we approved the Amendments which have been adopted, and I would move for the passage of Senate Bill 1251."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for the passage of Senate Bill 1251. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 159 'aye', 7 'no' and 3 voting 'present', and Senate Bill 1251, having received the Constitutional Majority, is hereby declared passed. Representative Peters on 1352. Senate Bill 1352. Read the Bill."

Clerk O'Brien: "Senate Bill 1352, a Bill for an Act making appropriations to the Board of Higher Education. Third Reading of the Bill."

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Speaker Daniels: "Representative Peters."

Peters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1352 received the 13-0 endorsement of the Committee. What it does is provides for the ordinary and contingent operations for the Board of Higher Education. The Bill as introduced called for an expenditure of 32...32.5 million. That has been reduced to 30.6 million. It is a 4.3 percent reduction from the amount appropriated last year. The head count is a reduction from 48 to 44. It has been, I believe, agreed to by both sides and both staffs, and I would move passage of Senate Bill 1352, which is the appropriation for the ordinary and contingent expenses of the Board of Higher Education."

Speaker Daniels: "Representative Matijeich."

Matijeich: "Yes, would the Gentleman yield?"

Speaker Daniels: "Yes, he will."

Matijeich: "Representative Peters, although this is the budget appropriation for the Board of Higher Education, I think this is the appropriate time to discuss the issue because I think we're all aware that the...all of the appropriation Bills for the university systems in the State of Illinois are going to go directly from here to the Governor. And I think it's the appropriate time that we ought to tell this Assembly, at what level are we funding the universities...colleges and university systems in the State of Illinois? For example, when the Governor introduced his Higher Education budget, there was a reduction of 18.1 million below the FY'82 General Revenue Fund appropriations. Where are we at now coming out of this House, of all of those Bills, and going directly to the Governor? How much will we be less than FY'82 appropriations or estimated expenditures, either one?"

Peters: "Representative Matijeich, I'm sorry. I do not have

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that particular information for you. All I have before me is the appropriation for the Board of Higher Education, which is their ordinary and contingent expenses and those grant line items that they have. I have no knowledge of what was or is being done in regard to the University of Illinois or the colleges under the Regents or under the Governor. I...I regret I can't answer that question."

Matijevich: "My staff is telling me as I'm discussing the issue with you Representative Peters that...that we are about six million dollars below this fiscal year's appropriated level. Now, my next question is, in the...most of the university systems - and I don't know if your staff has that over there - what... what's the level of tuition increases, percentage increases for undergraduate, for example, and graduate...graduate levels."

Peters: "It's my understanding, Representative Matijevich, that it's approximately 15 minus percent."

Matijevich: "Yes. I...I think, as my staff has said to me again, it's about 15 percent increase at the undergraduate level, all the way up to 30...our staff...I'm sorry, Representative Cullerton; to about 30 or 35 percent on the graduate level. And the reason, Mr. Speaker and Ladies and Gentlemen of the House, I...I'm coming to that point is, in the university system, as was pointed out in the Appropriation Committee, university after university and the community college system too, told us that their enrollments are increasing dramatically. We don't have the situation as we do in elementary and secondary, where the Governor in his budget message, said to us that even though elementary and secondary education was being reduced, in his...in his budget message; because of reduced enrollments, we weren't, quote, hurting education. Well if you take that premise then what are we doing to higher

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education where the enrollments are significantly up? I would suggest to you that what are...what we are doing is transferring the burden to the students and the parents of...of those students going to colleges and universities in Illinois. I would also point to you that the federal impact on education has been drastic, both in financial aid to students and in grants. It is what I have been saying all along; that what is happening in Washington, the policies in Washington, have been severely impacting education in Illinois and in fact all of the colleges and universities in all of this country. I realize that we've got to pass this Bill. I'm going to vote 'present' on it, because of what...what the trend is, as I see it, in education in Illinois. It's my only way of objecting to this trend. I have been one, as many of you who have said to our constituencies, that education is our highest priority. If it is our highest priority, then I don't think that...that we ought to be for a reduced level. We shouldn't be here standing and saying that we're going to spend less on education in...higher ed than we did last year, yet the enrollments are up significantly. For that reason, Mr. Speaker, Ladies and Gentlemen of the House, even though I realize this Bill's going to go to the Governor directly, I'm going to stand here and vote 'present'."

Speaker Daniels: "Further discussion? Representative Peters to close."

Peters: "Well, Mr. Speaker, I appreciate the comments of the Minority Spokesman. I know of his concern and interests for the entire problems of the...the Board of Education and Higher Education generally, and I hope that they can be worked out in some future consultations with the Governor, and would ask that the Members of the House give their

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affirmative vote to Senate Bill 1352 so that we can initiate that process. Thank you."

Speaker Daniels: "Gentleman moves for the passage of Senate Bill 1352. All those in favor will signify by voting 'aye', opposed by voting 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 125 'aye', 3 voting 'no', 39 voting 'present', and Senate Bill 1352, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1285, Representative Davis. Are you handling that, Sir? 1285? Representative Wolf. Out of the record? Out of the record. Senate Bill 1289, Representative Keane. Read the Bill."

Clerk O'Brien: "Senate Bill 1289, a Bill for an Act to amend the Bingo License and Tax Act. Third Reading of the Bill."

Speaker Daniels: "Representative Keane."

Keane: "Thank you, Mr. Speaker. This is the Bill we debated a good deal on the Amendments yesterday. It amends the Bingo License and Tax Act. The Bill is needed because, I think as we all know, the large prizes were hurting the small charitable and philanthropic organizations. Many of the large groups got together with us on the Bill and agreed with the findings of the Legislative Investigating Commission. The Legislative Investigating Commission recommended that a top prize be...level...the top...the level of all prizes be under 2500. The level of the Bill is at 2250 dollars. The Legislative Investigating Commission report on Bingo also indicated that there was a good deal of criminal involvement where we had higher prizes; probably because of the amount of money involved and the ability to skim when we were at 3400. It seems that, with the spread...the return, hopefully, the return of bingo to the small schools and other small charitable

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institutions, as well as the reduction in the amounts of prizes, there will be less...it will be less attractive for such groups or anyone who would attempt to take advantage of that. We are not saying that this Bill is a panacea for thing that...to the many ills that the Legislative Audit Commission...Legislative Investigating Commission pointed out, but we are saying it's a start. A number of people involving all aspects of bingo are going to continue to meet and attempt to further look at and perhaps come up with legislation to take care of some of the other ills. I'd be happy to answer any questions, and I'd ask for a favorable Roll Call."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for the passage of Senate Bill 1289. All those in favor...Whoops. Representative Wolf, Sam Wolf. A little late, Sir, but we'll take your question."

Wolf, Sam: "Thank you, Mr. Speaker. I don't have a question, but I would like to make a comment. I rise in opposition to Senate Bill 1289. While I recognize that...that considerable reform is needed in the Bingo Act, I think that this particular Bill and its application statewide, unduly..unduly penalizes a portion of this State which I represent, that causes great financial loss to a number of organizations that use only a limited number of facilities in that area. I certainly don't have any illusions that this Bill isn't going to pass, but I would hope that in the months to come we could legislatively address the problem area that I refer to, and in some way allow this area to be on a competitive basis with those organizations located in Missouri just across the river that will, most certainly, when this Bill passes, put those organizations out of business and prevent them from doing the fine work that they have done in the past. I'm going to vote 'no' but, as

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I say, I have no illusions that the Bill isn't going to pass."

Speaker Daniels: "Representative Flinn."

Flinn: "Well, Mr. Speaker, I agree with Representative Wolf and his statements. This Bill purports to help the small bingo games up and down the state, but it actually hurts the small ones and the large ones who are adjacent to the Missouri state line, and especially from Alton down to Waterloo, all the way back to Edwardsville, Collinsville and so forth. It does not do anything for the little ones. It hurts them as much percentage-wise as it hurts the larger ones. There are going to be some of them go out of business, as Sam mentioned to you, and it's very unfortunate that the skids are already greased. It's a situation where all the rest have gotten together against a particular area; not that they have it in for us. I'm not complaining about that, but they've...they've got a...an answer to a problem that solves their problem, but it certainly hurts us. And I'm like Sam. I would hope that sometime we'll get back to address it, if it's not already too late. I suspect that many of the bingo games will not exist after this goes into law."

Speaker Daniels: "Further discussion? Gentleman from Bond, Representative Watson."

Watson: "Thank you, Mr. Speaker. I'd just like to concur with the last two speakers and ask for opposition to this particular piece of legislation. To reduce the maximum prize limit from 3400 to 2250 dollars is quite a drastic change, 1,150 dollars. The problem that we have in our area, of course, is we're trying to compete with Missouri. Missouri currently has a limit of 3600 dollars. This is going to put our particular area in very much of a disadvantage. Some 50 to 60 percent of the play of bingo

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in...in the metro east area comes from Missouri. Missouri just recently passed this bingo law and, of course, they're just now establishing their games. And this is going to give them more of an advantage and, unfortunately, hurt the community service organization that...that have bingo in our particular area. From what I understand, Iowa also is giving consideration to increasing their maximum. So, if we are to remain competitive and to provide an incentive for these community service organization to raise money, they have to have the edge. They have to have the competitive edge. So, I would urge a 'no' vote on...on 1289 and appreciate a following."

Speaker Daniels: "Further discussion? Gentleman from Vermilion, Representative Miller."

Miller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this legislation. One of the aspects of this Bill that has not been dwelled upon greatly is the fact that many municipalities will be relieved of the burden of obtaining a providers license and paying a 200 dollar fee, if this Bill is passed. When they make available at no cost to charitable organizations to hold bingo license, facilities that are owned by the municipality presently they are obligated to do this. It's very unfair. I wish to thank the Sponsor, Representative Keane, for accommodating this measure that I'm sure is important to many downstate communities as well as the prior Sponsor, and I wish that you would consider voting green on this and push this good legislation over to the Senate. Thank you."

Speaker Daniels: "Representative Yourell."

Yourell: "Thank you. I move the previous question."

Speaker Daniels: "Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those



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in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Keane to close."

Keane: "Thank you, Mr. Speaker. I don't think it's anyone's intent to hurt any section of the state. It definitely is not mine. However, I think that Missouri, with the 3600 dollar limit, will find that they're going to attract the same elements that, unfortunately, Illinois bingo did attract and, hopefully, we will be competitive. As I said in my opening remarks, I do not consider this Bill to be a panacea. It...I think we have to look at all of the findings of the Legislative Investigating Commission. We have some other issues, and I would be...I am sure that the concerns of the Gentleman who spoke will be taken into consideration, and if anything can possible be done, I will be happy to support it. I would ask for your favorable support on this Bill."

Speaker Daniels: "Gentleman moves for the passage of Senate Bill 1289. The question is, 'Shall Senate Bill 1289 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Representative...Have all voted who wish? Take the record. On this question there are 116 'ayes', 44 'nos', 5 voting 'present', and Senate Bill 1289, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1292, Representative Pullen. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1292, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Daniels: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1292 would exempt church operated preschool programs from licensure as day care centers. This Bill is very carefully defined so that it would apply only to those

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facilities that we would intend to exempt, that is, church operated facilities according to the definition of Federal Internal Revenue Code, facilities that receive no governmental aid, that serve children who are three years old or older and are operated as a component of a religious nonprofit elementary school, primarily to provide religious education and that meet appropriate state or local health and fire safety standards. The Bill is similar to a Bill that was passed by this House last year, but which was subsequently vetoed. This Bill, however, is more precisely drawn and I urge its passage so that church operated preschool programs would no longer be subject to inappropriate licensure as day care centers."

Speaker Daniels: "Any discussion? The Gentleman from Cook, Representative Katz."

Katz: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I wanted to talk a moment about the problem that we have here with regard to day care centers. I was part of the opposition last time to the exemption Bill. We succeeded in opposing successfully the Bill. But I've had an opportunity to look and study the new Bill that has come in and it seems to me that it does meet the basic objections that we legitimately had to the Bill last year. I also want to take a look just very briefly, at what we have done with regard to day care. I think it is an important subject and I am an enthusiastic believer in day care, but I also, in looking over the regulations that have been promulgated by the agency, I really think that we have gotten a little out of hand in bureaucratic controls. For example, I know that when my own children were being raised, we had a coop nursery there in Glencoe. Twenty parents or so got together and we took care of our preschool kids. I discover, in looking over the

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regulations that we could not have at all complied with some of these regulations. I notice with regard to regulations, for example, that you can't really run your own program if you have as many as four young children in the program, you come under the control of the state activities. And the state activities really get down into the miniscules of running a program. You, for example, are required by state regulations to provide daily indoor and outdoor activities in which children make use of both their large and small muscles. That's something that the state has to control. And if you serve a lunch it has to be a hot meal that's provided. It also has provided that it would unlawful under regulations that the lunches be brought from home. That's not proper. It can't be done. And the regulations also provide that children shall be served small servings of bite-sized pieces with second helpings always available. Now, isn't that a little ridiculous that that has to be provided by regulations, and if you're going to run a day care, that you have to...you can't use your own brains in running it, but that you have to comply with that kind of regulation? And another kind of regulation says that adults shall sit at the tables with the children during the meals. Even if the...your particular day care believes that the children learn better from each other, you are violating the state regulations unless the adults sit there. And then, they have one coming up this fall, for example, that's going to take effect. It provides that in order to provide day care for infants and toddlers that you...you must provide a maximum of seventy-four degree fahrenheit temperature, measured two feet above the floor. What that means in practical effect is that if you're going to have a day care program in the summer, you have to have an air-conditioned facility. Now,

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I think that's a little ridiculous. I mean, there are nice advantages to air-conditioning, but there are many kids in the state who've grown up quite healthy without air-conditioning. And to mandate that kind of..of program and those kinds of requirements really has the effect of preventing people from going into day care, because the cost of that kind of air-conditioning is such that it may make it prohibitive. Now, the truth of the matter is that a lot of these regulations appear to me in looking at it to be regulations that help those people who are in the business. They're also regulations relating to education, for example. I had the experience of someone that I know who worked for a day care, the wife of a worker I know who raised some kids, and she couldn't continue her job in a day care home because the regulations provide that you had to have so many college hours of training with regard to day care, and since she was just an ordinary woman who had never been to college, she had to give up the job. All she had been able to do was successfully raise her own children. Now, the effect of that really is to limit the ability of people to hire those people. I think, myself, that you don't really have to have college hours in order to be able to be in a day care setting. Yet, what happens is that these regulations get more and more tight as a result of the control of the providers who, I think, are so hepped on the subject that they want everybody else to do it their way, and also, I think that the educational establishment has an interest in mandating all of these courses. Because once the courses are down and they are required, then there's going to be more people who go to community colleges and take those courses and they're the people who gravitate to the control of the situation. Well, in addition to that, those are long-term problems.

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There's some other aspects of the problem. This Bill is directed only to religious schools. Now, I'm a great believer in the First Amendment of the Constitution, and sometimes some people may think I'm too much of a believer in it, but the First Amendment does apply. Liberals, conservatives, we all have a commitment to the First Amendment. And I do believe that the First Amendment involves the fact that religious groups ought to have certain freedoms. It's part of the First Amendment. I may not agree with some of the political doctrines being enunciated in the name of some of the religious groups, but I do believe in the First Amendment. And I believe that people have a right to those differences, and I believe that religious schools ought to be able to have day care facilities as part of those schools. I don't agree with them, but it's part of my belief in the First Amendment. This particular Bill in the form in which it's presented is very limited. It really applies only to a small number of schools that are really run as adjuncts of religious institutions. It avoids the over-broadness of the Bill last time that we rejected. I would hope that the House might take a really new look at this extension and application of First Amendment concepts to religious schools. I believe that this will not do any harm. I believe that we ought to have a certain humility. Nobody knows for sure how you raise good kids. All of us have to recognize that there are differences of opinion..."

Speaker Daniels: "Excuse me, Representative Katz. Your time is almost up. I just wanted to let you know that."

Katz: "...Yes, right, and I am finishing right this moment. I want to conclude by saying that I believe that this Bill is a sensible Bill, that it is very limited, that First Amendment considerations ought to militate in favor of us

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recognizing some right of religious groups and that in addition to that, we ought to have humility about child care, that we ought to have skepticism about licensure and recognize that it becomes a haven for vested groups in the name of licensing regulations to mandate their life...way of life and their business against others. And so, I would urge an 'aye' vote on Senate Bill 1292."

Speaker Daniels: "Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. I urge you to vote 'no' on Senate Bill 1292. I simply do not understand why anyone should be exempt. All Christian churches are not in favor of this unfortunate piece of legislation. I do not believe that it's a question of separation of church and state. All children in my mind have the right to protection from institutional or personal abuse. Religious institutions cannot guarantee absence of those possibilities simply because they qualify with some IRS code definition. The current licensing system provides the machinery for dealing with complaints and making investigations and that's what we need to keep in place. Day care licensing standards also apply to quality of program in the basic areas of teacher qualifications, student teacher ratios and facilities. Religious curriculum is not controlled by the state in any way, and the state is...we are not making unnecessary encouragement into religious affairs. I think it's the other way around. My second reason for voting 'no' is this. Oftentimes the intent of legislation is circumvented by unscrupulous people who find ways of making money at the expense of churches and others we intended to assist. Look at what happened to bingo games in the State of Illinois. We set up what we thought was a mechanism for allowing parochial schools to raise money. Now the church run bingo games are

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finding themselves in competition with outfits only run to make money for themselves. Day care is a big moneymaker today. Day care centers can make enough money to run a private school, and my fear is that a new class of centers could arise that escape regulation because of affiliation with some bogus church. Furthermore, unethical operators are only part of my concern when I think of excluding any organization from licensing requirements. There are also well-meaning but poorly prepared or perhaps incompetent operators or would-be operators. State licensing is, in my mind, essential to assure those possibilities aren't allowed to surface and to do damage to children or parents who unknowingly become involved. I understand, after talking with representatives of Fundamentalists Churches, that they have no objection to the health and safety standards for licensure, nor do they object to the teacher-child ratios or space requirements. What they fear is that DCFS will dictate curriculum and eventually force them to close and they wish to remain an alternative to the secular humanism taught in public schools. This Bill has nothing whatsoever to do with a power grab by DCFS. What we are doing instead if we pass this Bill is forcing DCFS to differentiate day care centers operated as part of a local church ministry from those that are secular facilities. I think DCFS has their hands full as it is manning their child abuse hotline and finding adoptive homes for children. And I would urge you all to vote 'no'."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I hope the Membership listened to Representative Katz because he gave, probably, the finest example of why this Bill ought to be passed that anybody could give. He went through the actual regulations

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that some of these preschools have to live with if they are to obtain licensing. I think you can somewhat analogize, although I realize there are vast differences between the various occupational licensings that we have carried on here and are attempting to get under some degree of control through the sunset process, and the licensing of day care centers, because there is a very, very strong vested interest out there of profit day care centers who have a vested interest in making sure that there is as little competition for the declining number of children available for day care as possible. So, a lot of the opposition to this Bill, a lot of the opposition to allowing these schools to function comes from those people who make a profit at the...at the ...for taking care of children, and if you take a look at any demographic studies you'll find out there are less children available for all of these existing day care centers. It comes down almost to a question of whether there ought to be perfect day care or no day care at all. And I can tell you that these schools who are seeking to be relieved from state licensure will not accept on religious principles state licensure. So they're all going to close down. And what are those children going to do? They're going to either be latch key children at home, or go to some inferior, probably unlicensed school. And these schools will have to be...the state will have to spend a lot of effort trying to shut them down. I think this Bill is too strong. I supported the Bill that the Governor vetoed last year, but this is better than the existing law. I think that we have to take this step or you're going to find that a lot of children are going to be denied the ability to obtain schooling at a school of their choice. So I urge the Membership to join with Representative Katz, the Sponsors and the others who



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support this Bill and vote 'aye'."

Speaker Daniels: "Representative Bullock?"

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

Speaker Daniels: "The Gentleman has moved the previous question.

The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Pullen to close."

Pullen: "Mr. Speaker, I think the Members of the House understand the real issue involved in this Bill which is to preempt from inappropriate day care center licensure facilities which are not day care centers at all, but which are church operated preschool programs that are connected with a church operated elementary school. It is a good Bill. It is a responsible effort, and I urge an 'aye' vote. Thank you very much."

Speaker Daniels: "The Gentleman from Lake, Representative...Oh, excuse me. The Lady moves for the passage of Senate Bill 1292. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. The Gentleman from Lake, Representative Pierce, to explain his vote. The timer's on, Sir."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, Representative Katz laid out the dilemma in this Bill. On one hand we have our desire for child safety, child care, a legitimate..a legitimate desire of the state. On the other hand, we have a First Amendment problem of separation of church and state. I think the child care people are somewhat indifferent to that right of..of the freedom of religion and the church schools that have their own schools. It may be some prejudice they have against fundamentalists religions. I don't happen to belong to a fundamentalist denomination, but I believe strongly that they have the right to have their own educational system,

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their own schools and be free of state interference. On the other hand, our interest in child care dictates that the state show an interest in the welfare of children in all day care centers. Had the Amendments been adopted that were offered the day before yesterday that exempted schools from state regulations that our...that our nursery schools..."

Speaker Daniels: "Bring your remarks to a close, please."

Pierce: "Had some of those Amendments been adopted the other day exempting schools that went through third grade, day care through third grade, from state regulation I could have supported this Bill. The Sponsor would not take any Amendments. She was indifferent to Amendments, and therefore, because of my interests in separation of church and state and child care, I cannot come to the conclusion in this dilemma and will vote 'present'."

Speaker Daniels: "The Gentleman from Cook, Representative Peters, to explain his vote. The timer's on, Sir."

Peters: "Well, Mr. Chairman (sic, Speaker), there are enough votes on the Board. Thank you."

Speaker Daniels: "The Gentleman from Cook, Representative White, to explain his vote. The timer's on, Sir."

White: "Well, Mr. Speaker, Ladies and Gentlemen of the House, last year in Committee I opposed this piece of legislation and I stand before you today opposing it again. This Bill does not address itself to the qualifications of the teachers who are going to be working with these young people, nor does it deal with discipline, of quality of care, proper space for each child, teacher-child ratio. This is by far one of the worst Bills that we could pass out of this House. It does not work in the best interests of the young people who we're sworn to serve. Thank you."

Speaker Daniels: "The Gentleman from Rock Island, Representative

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Bell, to explain his vote. The timer's on."

Bell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to echo what Representative White said. I realize that this Bill is going to pass. The votes are there. The moral majority has gotten to the people. But I want you to remember that the majority of the churches are not favoring this Bill. It's just a very select few, and I think it's a terrible Bill. I think it's terrible for the children and it's one that deserves a 'no' vote. I'm sorry to see so many green on there."

Speaker Daniels: "The Gentleman from Cook, Representative Kulas, to explain his vote. The timer's on."

Kulas: "Well, Mr. Speaker, Ladies and Gentlemen of the House, in my area I have a lot of so-called store front churches which are run by ministers who have probably been ordained by Representative Huskey here. We have churches such as the Church of the Cosmic Rays. Now, what you are doing by your green vote on that Board, you are turning over the welfare of the future citizens of the State of Illinois to unscrupulous operators without any control whatsoever. We have defeated this Bill before, and this Bill should be soundly defeated again."

Speaker Daniels: "The Gentleman from McLean, Representative Ropp, to explain his vote. The timer's on."

Ropp: "Thank you, Mr. Speaker, Members of the House. I don't think that there's any reason why this Body or any other government agency feels that we ought to control the destiny of people from the time of conception until death. Here's an opportunity where a church group is clearly identified as a religious organization, clearly receiving no money from any government agency, is attempting to provide a service that will in effect reduce costs from the State of Illinois. The programs that I'm aware of have

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super kinds of discipline. The fact is, I think if more kids would go to these kinds of schools we'd certainly have a better, more disciplined society in this country."

Speaker Daniels: "The Gentleman from Cook, Representative Bowman, to explain his vote. The timer's on, Sir."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would point out that the Illinois Catholic Conference opposes this Bill; Illinois Child Care Association opposes this Bill. This is not a Roll Call on whether we should have child care standards at all or not. It is a Roll Call on whether we should riddle our child care standards with so many exceptions as to make it, not only meaningless, but to make it unfair and to deny equal protection of the laws for people who do run day care operations. Let me also point out that just because these operations are affiliated with churches does not necessarily make them better. There was a center, an unlicensed center, that was affiliated with a church in Chicago that was discovered in March, and it was closed by the city because it had not...did not have adequate heat, did not have adequate children supervision and it had poor sanitation conditions..."

Speaker Daniels: "The Gentleman from Cook, Representative Yourell, to explain his vote. The timer's on."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I agree with Representative Flinn that I shouldn't really be speaking to this Bill since it does have a three-fifths already. But I do, and am obliged to do that today, because this Bill - in essence there's nothing bad about it - but there were certain Amendments that I thought were fundamental Amendments that were offered to the Bill on Second Reading that the Sponsor refused to accept, Amendments that would have strengthened the Bill, such as

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inspection by fire officials because the children in church operated day care centers are nonetheless vulnerable than those in day care centers throughout the state where they are ...their care is paid for. Other Amendments would restrict the hours, govern the hours, and make a difference between day care centers and a regular school. The Amendments that were proposed were good, fundamental Amendments that would have..."

Speaker Daniels: "Please bring your remarks to a close, Sir. The Gentleman from Cook, Representative Jack Dunn, to explain his vote. The timer's on, Sir."

Dunn, Jack: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. I think there may be a misconception here. People don't realize, I don't think, or some of them don't, that there is local inspections being made. This is a redundancy. Now, I've seen state inspections that amounted to no inspection at all. In the day care centers in my district the local firemen do check for safety and in many cases the local firemen's children go to those schools. And I think that's the best kind of inspection you can have is that local control, not depend upon the state. Thank you."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Alexander, to explain her vote. The timer's on."

Alexander: "Thank you, Mr. Chairman (sic, Speaker). I echo the sentiments of Representative Woody Bowman. I, too, read that article in the Sun-Times concerning a private church affiliated school and day care center, and the charges that were leveled at this school in March of this year are 'notrocious' (sic, atrocious). And if you don't have this situation in your district, I'm afraid my district will be indicate...and be flooded with this type of school system

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where the children of my district will be put in jeopardy for health and safety conditions."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 105 'ayes', 65 'no' and 4 voting 'present'. And Senate Bill 1292, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1299, Representative Birkinbine. Read the Bill."

Clerk O'Brien: "Senate Bill 1299, a Bill for an Act to designate depressed areas, relax governmental controls and provide tax incentives. Third Reading of the Bill."

Speaker Daniels: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1299 is the enterprise zone Bill that we labored on long and late last night. Because we did discuss it at length, I will simply quickly recap it for you and try and answer any questions you have. I will remind you that any enterprise zone has to begin with a local municipality or a county initiating it. They have to make application to Department of Commerce and Community Affairs. They have to approve it. Such an area must be one of pervasive poverty, unemployment and economic distress. It has to have a contiguous boundary. It has to be within the size of a half to ten square miles. I would like to correct an inaccuracy that presently exists in one of the analyses that we have on the Republican side, where it referred to the fact that the National Federation of Independent Businesses were opposed to this. They are no longer opposed to this. For about the last week, Representative Lechowicz and I have worked back in his office with virtually any and every group that have had concerns on this Bill. I think we have answered most of them. I know of no concrete opposition other than the fact

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that we are, indeed, relaxing some government restrictions, and those who feel more secure with bureaucracy running things rather than an element of freedom, they feel uncomfortable with it. I would ask for an affirmative vote on this, and I think Representative Lechowicz would like to close."

Speaker Daniels: "Any discussion? Representative Satterthwaite."

Satterthwaite: "Well, Mr. Speaker and Members of the House, regrettably, last night an Amendment that I was proposing for this Bill was not properly drafted, and so we never got to deal with the substantive issue at hand. One of my concerns is that a portion of this Bill, in addition to all of the incentives given to the various business establishments that might come into the enterprise zone, there is a...a portion which I feel is not at all justified, which would in fact make it a state-wide enterprise zone for investors. Regardless of what particular area they might choose to place their investment funds into, they in fact could live anywhere in the state and have a distinct advantage of having the dividends from a company that was operating within the...within the enterprise zone give them dividends that would then be tax-free. And this presumably would last for the full twenty years that the enterprise zone was in effect. It seems to me that if an investor takes the chance of investing in a business establishment, that the investor has to take that risk. And if in fact the business is able to provide a dividend to the stockholders, I see no reason why that dividend should be tax-exempt. In the State of Illinois, we have a relatively low income tax rate, and we in fact have tried diligently to keep our income tax simple. We do that to the extent of even adding back into the income tax various deductions that are permitted at the

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federal level. I see no justification for leaving this provision in, and I realize it's too late now to officially amend the Bill to do that; but I would certainly hope that if this Bill gets to the Governor's desk, he would have the sense to take out those provisions which I feel are very unjust, very unfair, are in fact detrimental to the state as a whole to have certain investors getting this kind of added tax advantage, which I feel is totally unjustified. And so for this reason I will vote against the Bill; but as I say, should this Bill get to the Governor's desk, I would certainly hope that he would have sense enough to delete these provisions and make it a little more fair for the rest of the people of the state."

Speaker Daniels: "Representative Lechowicz to close."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The purpose of Senate Bill 1299 is to allow state and local communities jointly to create enterprise zones in economically depressed areas throughout the State of Illinois. Within these zones the Bill provides state tax incentives, and allows relaxation of state and local regulations to provide incentives for industrial and commercial business development within this state. The Bill also authorizes governments, in cooperation with the state, to utilize additional programs to encourage private sector incentives in the following areas. The Bill is targeted in the most extremely depressed area of Illinois. It is not intended to provide subsidies to existing viable enterprises, nor is it intended to subsidize the relocation of existing businesses to enterprise zones from other areas of the state. The underlying concept is to focus on areas where development is not occurring, where jobs are not being provided, and where tax revenues are not being generated. In these areas, providing tax subsidies is not



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a loss to the state. In these areas, providing incentives for development will benefit both communities and the state and, in the long run, will mean...more than repay the limited tax exemptions allowed in this Bill. And in response to the previous speaker who was saying she was going to be voting against this Bill, as far as the state income tax on the individuals who invest in the enterprise zone concept, that is only if their...that investment is strictly exempt for the enterprise zone corporations located within that area. If you're talking about a...an area where you definitely need private capital investment, that's a small price to pay for providing employment and jobs within a depressed area. Ladies and Gentlemen, I just wanted to once again thank the staff of both the House and the Senate, the Members of the Senate and the House who worked so diligently, the cooperation that we received from the Speaker, from the Minority Leader, from the Mayor of the City of Chicago and, yes, the Governor of the State of Illinois in coming up with an Amendment #13 and the other Amendments that were adopted on 1299, which makes this a very viable, a very good Bill for the people of Illinois. And I strongly encourage House Bill 1299 for your consideration and passage."

Speaker Daniels: "Gentleman moves for the passage of Senate Bill 1299. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative Currie to explain her vote. The timer's on."

Currie: "Thank you, Mr. Speaker, Members of the House. The Sponsors of the Bill were responsive, and they did include some Amendments in this legislation that will return government controls to enterprise zone areas. Of course, to the extent that they did that, they pretty well destroyed the concept behind the notion that the enterprise

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zone will make a difference. The worst thing about this Bill is that there are no specific standards for designating enterprise zones. There's no way of telling which poor areas, which parts of the state that need economic revitalization will count. The problem of course is that what we were creating with Senate Bill 1299 is one other place for a horse trade. If you think this is for the poor, the downtrodden and the oppressed, think again. You know perfectly well that the deals that will be cut over where the enterprise zones are created are going to be the deals that are usually cut in this state; the deals that involve the major investors and the politicians that have a lot of clout. If you think this is going to..."

Speaker Daniels: "Representative Stewart to explain her vote.  
Timer's on."

Stewart: "Thank you, Mr. Speaker. I rise to explain my 'no' vote, regardless of the fact that there is so many green votes up there. I don't believe that the enterprise zone system addresses the real problem facing urban areas. For one thing, new businesses cannot expand because of the cost of money, not because of the inavailability of tax breaks or because of the fact that the corporate taxes are breaking corp...the corporate structure. The...The premise behind enterprise zones does absolutely nothing to address the high interest rate. It does absolutely nothing to address the other problems that face urban areas. I think it's a false hope. We're offering false hope, and certainly we aren't trying to help those who need...who need help. What we are doing, in fact, is providing help and assistance to those who really don't need..."

Speaker Daniels: "Representative Balanoff to explain her vote.  
Timer's on."

Balanoff: "The main purpose of this enterprise zone concept was

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purportedly to bring jobs to a depressed area. There is nothing in this Bill which says that people within the designated area shall get the jobs. The...Anyone from anywhere in the state or even from outside of the state can come into the area and get a job under this particular Bill. This does not help the unemployed, those who are on welfare or those who are getting food stamps, who live within the depressed area. So, the Bill does not address the problem of depressed areas. It's primary purpose is to give a tax break to businesses which settle there. It says nothing if the company wishes to move away within five years. It says nothing which requires the company..."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 143 'aye', 27 'no', 4 voting 'present', and Senate Bill 1299, having received a Constitutional Majority, is hereby declared passed. Senate Bills Second Reading, page six of your Calendar, Second Reading Short Debate. 1599. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1599, a Bill for an Act in relation to municipal and county use occupation taxes. Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Getty..."

Speaker Daniels: "Representative Getty, Amendment #1."

Getty: "Mr. Speaker and Members of the House, Amendment #1 would provide that the Department of Revenue of the State of Illinois would be permitted to exchange information with local home rule units, which have taxes similar to the taxes collected by the Department of Revenue; and, likewise, those home rule units would exchange information for the Department of Revenue. It is my understanding that this Amendment has been approved by the Department of

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Revenue. They've signed off on it, and I believe this is an Agreed Amendment."

Speaker Daniels: "Any discussion? Gentleman from Effinghau, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Brummer: "One brief question. Does...I don't recall - either the statutes or the Constitution - do any units of home rule government have income tax?"

Getty: "Well, this would be similar tax. For example, it could be a sales tax. It..."

Brummer: "Are...Are there any units involved...Are there any home rule units of government that are authorized to levy an income tax?"

Getty: "I don't recall that there are. I..."

Brummer: "That doesn't necessarily address itself to that. This...This would address itself to any similar tax which I assume, if a unit of...if a home rule unit had an income tax, would be a similar tax."

Getty: "That's correct. But really, as I understand it, at least now, it would apply to sales taxes; so that if a home rule unit has a sales tax, that is in fact similar to the tax that is collected by the state for sale."

Brummer: "But there is no unit of local government that has an income tax currently."

Getty: "Not...Not to my knowledge, Representative."

Brummer: "Thank you."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to say, as Sponsor of the Bill, I've gone over this Amendment with Mr....Representative Getty. It's an Agreed Amendment. It is an Amendment that has been

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signed off by the Department of Revenue, and I would ask for a favorable Roll Call on 1599, Amendment 1."

Speaker Daniels: "Representative Schraeder."

Schraeder: "Thank you, Mr. Speaker and Members of the House.

Some years back, under the administration of Governor Walker, there was an attempt made by Members of the Legislature, and particularly this side of the aisle, to enact legislation which would give certain municipalities the power to...in...in...to start an income tax within that municipality; and in one Session alone we defeated roughly five or six different Bills or Amendments pertaining to a city or a municipal income tax. And there were many of us on this side of the aisle and on, in fact, on both sides of the aisle that said that the state has sole jurisdiction over the implementation of an income tax and not any city or municipality. And I just want those to know that, if you are opposed to a municipality imposing an income tax, you had better take a good look at Amendment #1 of this particular legislation. I personally am going to oppose it, because I don't want a municipality in the State of Illinois imposing an income tax on their people."

Speaker Daniels: "Further discussion? Representative John Dunn."

Dunn, John: "Will the Sponsor yield for a question?"

Speaker Daniels: "Indicates he will."

Dunn, John: "Two questions. Number one, what does the Amendment do? And number two if the Amendment is adopted, what will the Bill as amended do?"

Getty: "Well, I'm not going to address myself to the Bill itself, because that's not before us. The Amendment merely provides that the Department of Revenue and a home rule unit which have similar taxes may exchange information with the same degree of confidentiality that is required in the exchange of information between...within the state, within

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the Department of Revenue. And it is similar to those provisions already in the law having to do with exchange of information between, for example, the Federal Government and the State Government, as far as collection of taxes. Now this addresses itself for example, in similar taxes to a sales tax collected by a unit of home rule...a home rule unit and a sales tax collected by the Department of Revenue. They both collect similar tax, and they would be able to exchange information; the state getting it from the home rule unit, the home rule unit getting it from the state, as to the collection of that tax."

Dunn, John: "Why is this Amendment needed?"

Getty: "Because there's no authority to exchange it now."

Dunn, John: "Well, if...if the home rule unit levies the tax, for example, a local sales tax, cannot the home rule unit as part of its ordinance provide for an audit; and in connection with the audit can't the home rule unit..."

Speaker Daniels: "Excuse me. Excuse me, Sir. Representative Piel, for what purpose do you rise, Sir?"

Piel: "Take the Bill out of the record, Mr. Speaker."

Speaker Daniels: "Out of the record. 1667, Representative McBroom. Out of the record. Senate Bills Second Reading. 1396. Representative Peters in the Chair."

Speaker Peters: "Page two of the Calendar, Senate Bills Third Reading. Senate Bill 1353, Representative Wikoff. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1353, a Bill for an Act making certain appropriations to the Board of Trustees of the University of Illinois. Third Reading of the Bill."

Speaker Peters: "Representative Wikoff. Let me indicate that it would now be the intention of the Chair to continue on those Bills on Senate Bills Third Reading, Representative Matijevich and Wolf, to take those Bills on Third Reading

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which have not been amended, so we can assume there's been basic agreement to. Representative Wikoff, proceed, Sir."

Wikoff: "Thank you, Mr. Speaker. Senate Bill 1353 is the operation contingent expense budget for the University of Illinois; 394,636,457 dollars, which is approximately two million dollars below the budget for last year. It's one that I'm not particularly pleased with, but it appears that this is an agreement between both of the House and Senate, something that we can live with under the tight fiscal constraints of the State of Illinois, and I would move for the adoption of this Bill."

Speaker Peters: "Any discussion? Representative Matijeovich."

Matijeovich: "Yes, very quickly. In...on the rest of the Higher Ed Bills, I...my remarks would be very limited, if anything; because, I have the same - if you want to call it that - objection. I..I do know that we've got to pass these Bills out, send them to the Governor; but, when the Governor introduced the Bills for Higher Education, there was no money for any salary increase. The State of Illinois has been behind other university systems, comparable university state systems, with regards to salaries for the professors. What we've done is provide modest salary increases, and we've done it except that in the House we have...we have put back the 70 percent in the university retirement systems. But, I have that uneasy feeling that when we leave here at the end of June, hopefully, that when it's all said and done, we are going to be providing modest salary increases at the expense of the retirement systems. Also, we have no new program funds in this university appropriation; that any new programs are at the expense of cutting existing programs; that we are also providing substantial tuition increases. Ordinarily, tuition increases are for new programs, but we are

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providing increases all...from 15 percent all the way to 36 percent tuition increases at the graduate level for example; and all of that is to fund existing programs. And I think that...that is something I can't vote for, and I'm going to vote 'present' on that basis."

Speaker Peters: "Further discussion? Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I agree with everything the previous speaker has said with the exception of one minor adjustment. He referred to this as salary for the professors at the University of Illinois, but in addition to the academic staff there are a great many non-academic staff people who are also included. And many of them are at a very low pay scale, must lower than that provided for comparable categories even within the State of Illinois Department of Personnel schedule. And so it is especially difficult for all of these classes of employees at the University of Illinois to have to go to this very minimal kind of increase that will be provided by the funds in this Bill. Recognizing that, in fact, this is the best we are going to be able to do this year, I will reluctantly give it my support. But, I think we all have to realize that we are in fact endangering the quality of the University, because the people who are the most mobile, in this day and age, are those who are the best qualified; and so, they are the ones who will be leaving for other employment, either in other university settings or in the private sector. And what we will find, if we continue along this road, is that in fact we have diminished the capability of the star university within our system to perform at the level that they've performed at in the past. And I certainly hope that next years' budget will be more for them, and will, in fact, help to reverse the trend that



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this budget is setting."

Speaker Peters: "Further discussion? Representative Yourell."

Yourell: "Just a thought. When we're discussing these appropriation Bills it would be helpful I think if we knew the level of appropriation in the last fiscal year and the level this year."

Speaker Peters: "Further discussion? There being none, Representative Wikoff to close."

Wikoff: "Yes, for Representative Yourell's...in answer to his question, I mentioned it earlier, and he might not have heard me. This one, as it is presently...the numbers entered is approximately two million dollars for the University of Illinois less than they received last year. This was mentioned by several of the previous speakers, that salary increases are not what they should be. We've seen fit to raise the Judges' salaries by a very large majority, which I did not support. We've seen fit to raise many other salaries by similar other majorities, but we have not been able to see fit to raise the university salaries. But at least we haven't lost anymore than we have. I would urge adoption of...passage of...of this Bill."

Speaker Peters: "The question is, 'Shall Senate Bill 1353 be adopted?'. Those in favor will signify by saying 'aye', those opposed by... Sorry. The question is, 'Shall Senate Bill 1353 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 146 voting 'aye', 3 voting 'nay', 23 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1354, Representative Richmond. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 1354, a Bill for an Act to provide for the ordinary and contingent expenses of the Southern Illinois University. Third Reading of the Bill."

Richmond: "Thank you, Mr..."

Speaker Peters: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1354 makes appropriations for the ordinary and contingent expenses of Southern Illinois University for the fiscal year ending June 30, 1983. The total amount in this Bill is 158,237,100 dollars, which reflects a situation that, certainly, I would have to agree with some of the previous speakers concerning the University of Illinois Bill that this is pretty bare bones. In fact, there's less GRF money represented in this...in this Bill than...than what was in the last year's appropriation. The fact that there's been sizable increases in the...in the tuition ranging from 15 percent to 36 percent has made it possible to include in the Bill the things that are very necessary to keep the university operating, at least at a level that would not be too harmful to the quality of the education. I respectfully ask for your support in this Senate Bill 1354."

Speaker Peters: "Any discussion? Representative Matijevich."

Matijevich: "All of what I said before holds true, and also, Representative Wyvetter Younge wants to address certain concerns she has with SIU. Again, we do realize this has got to be passed, but I'm going to still vote 'present'."

Speaker Peters: "Any discussion? There being none, Representative Richmond to close. I'm sorry. Representative Younge."

Younge: "Right. Thank you, Mr. Speaker. I just wanted to very quickly register my concern about the administration of the Southern Illinois University, and to indicate that I will

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be voting 'no' on their appropriations Bill, because I believe that what this University and this administration is attempting to do is to absorb its cut in budgets by acting more adversely on the interests of the Black and female faculties that it has on its campus at the Edwardsville campus. Recently, 16 black tenured staff were offered term contracts. Not one of them was offered a...a tenured position, and I believe that, although this university and this administration had promised me that there would be upper level division courses at the East St. Louis campus, they have broken their promises, and I am terribly concerned about the administration of the Edwardsville campus. Recently, the entire faculty took a poll of the competency of the instruc...of the administration of the President and Vice-President, and each of them received a below average rating. I will take up this matter further to make sure that the promises that were made, the East St. Louis community are kept, and I am voting 'no' because I have lost my confidence in the administration of the Edwardsville campus."

Speaker Peters: "Further discussion? There being none, Representative Richmond to close."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I will very briefly close by asking your support on this Bill, and also adding that I think that the administration of the university is very high caliber. And I'm sorry that there are some who have some problems, and certainly I hope we can get them ironed out. Thank you very much."

Speaker Peters: "Question is, 'Shall Senate Bill 1354 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Representative Kosinski. Representative Kosinski.  
Will...At Representative Leon's request, will you vote him  
please? Are we all on? Take the record, Mr. Clerk. On  
this question there are 129 voting 'aye', 18 voting 'nay',  
20 voting 'present'. This Bill, having received the  
Constitutional Majority, is hereby declared passed. Senate  
Bill 1355, Representative Bradley. Read the Bill, Mr.  
Clerk."

Clerk O'Brien: "Senate Bill 1355, a Bill for an Act making  
appropriations to the Board of Regents. Third Reading of  
the Bill."

Speaker Peters: "Representative Bradley."

Bradley: "Yeah. Thank you, Mr. Speaker and Ladies and Gentlemen  
of the House. Senate Bill 1355 is the ordinary and  
contingent appropriation for the Board of Regents. It  
includes Illinois State University, Northern University and  
Sangamon here in Springfield. The...There is a reduction  
in GRF funds of a million and almost a half million  
dollars; a total increase though in the appropriation of a  
million, four...a million point four. Unfortunately the  
increase is make up in tuition increases to the students.  
But, the...the total increase as I said earlier is only a  
million and a half dollars over last year's appropriation  
and I ask for your support."

Speaker Peters: "Any discussion? There being none, the question  
is, 'Shall Senate Bill 1355 pass?'. Those in favor will  
signify by voting 'aye', those opposed by voting 'nay'.  
Mr. Clerk. The voting is open. Have all voted who wish?  
Have all voted who wish? Have all voted who wish? Take  
the record, Mr. Clerk. On this question there are 140  
voting 'aye', 3 voting 'nay', 23 voting 'present. This  
Bill, having received a Constitutional Majority, is hereby  
declared passed. Senate Bill 1356, Representative Keane.

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Is the Gen...Is he there? I can't see. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1356, a Bill for an Act making appropriations to the Board of Governors of the state colleges and universities. Third Reading of the Bill."

Speaker Peters: "Representative Keane."

Keane: "Thank you, Mr. Speaker. Senate Bill 1356 is the annual appropriation to the Board of Governors of state colleges and universities for their ordinary and contingent expenses. The Bill appropriates a total of 143,322,735 dollars, and has gone through the same process as the previous Bills that you've heard on. I'd be happy to answer any questions. I would ask for a favorable Roll Call."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1356 be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 141 voting 'aye', none voting 'nay', 24 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1357, Representative Woodyard. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1357, a Bill for an Act making appropriations to the Illinois Community College Board and the Board of Trustees of the State Community College of East St. Louis. Third Reading of the Bill."

Speaker Peters: "Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Here, again, this received the same consideration in...in the Committees as all of the rest of the Higher Ed Bills, and this is the OCE for the community college

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system, in the amount of 161,791,400 at the Senate level.

I would appreciate a favorable vote."

Speaker Peters: "Any discussion? Representative Matijevich."

Matijevich: "Yes, would the Gentleman yield?"

Speaker Peters: "He indicates he will."

Matijevich: "I only have one question, Representative Woodyard; and that is, when we passed the funding formula for the community college system, what has happened now to the implementation of that funding formula? I'll preface it with this. The growth in the enrollments of the community college is so rapid that, isn't that causing some concern fiscally to the community college system? Could you address that to the Body?"

Woodyard: "Yes, there's no question but what the growth in enrollment has presented problems to the community college systems, the same as it has to every system in the higher educational system. You'll recall, though, that my comments on the floor the other day were...to the formula, were that the 11 community college districts that were not receiving quite the amount that they did last year, that was an agreed upon formula that they agreed upon two years, ago and this is what has happened to that formula."

Matijevich: "Yeah, that was my only con...concern. Because of that two year so-called time lag, that the community college systems are under severe fiscal problems. I guess there's nothing we can do about it, because the growth is so rapid with regards to enrollment, and the state funding is really at zero growth we might say. So, that's my concern. I am going to vote 'present', as I have... as the others, even though we will pass it."

Speaker Peters: "Further discussion? There being none, Representative Woodyard to close."

Woodyard: "I would just appreciate a favorable Roll Call."

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Speaker Peters: "The question is, 'Shall Senate Bill 1357 pass?'.

Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 137 voting 'aye', 3 voting 'nay', 25 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Matijevich, on the next one, that...that's not part of any agreement, is it? We can...We can go with that. Yeah. Senate Bill 1359, Representative Kustra. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1359..."

Speaker Peters: "Hold on. Hold on. ...No, there are Amendments, my error. Senate Bill 1362, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1362, a Bill for an Act making appropriations to the Metropolitan Fair and Exhibition Authority Reconstruction Fund. Third Reading of the Bill."

Speaker Peters: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1362 appropriates 4,800,000 dollars from the Metropolitan Fair and Exposition Authority Reconstruction Fund to the Metropolitan Fair and Exposition Authority for reconstruction and rehabilitation of the Reuben H. Donnelley building. I would urge the passage of Senate Bill 1362."

Speaker Peters: "Any discussion? Representative Kustra. No? There being none, the question is, 'Shall Senate Bill 1362 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Miller,

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'aye'. On this...Steve Miller, 'aye'. On this question there are 121 voting 'aye', 39 voting 'nay', 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1364, Representative Wikoff. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1364, a Bill for an Act making appropriations to the ordinary and contingent expense to the State University Civil Service Merit Board. Third Reading of the Bill."

Speaker Peters: "Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker. This is the appropriations Bill for the ordinary and contingent expense of the State University Civil Service Merit Board. It's as it came out of the Senate. The total appropriation is 588,589 dollars."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1364 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 159 voting 'aye', 4 voting 'nay', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page five of the Calendar, Senate Bills Third Reading. Senate Bill 1423, Representative Davis. We are taking...We are taking those Bills that have not been amended. Representative Davis - Wolf. While...While we are waiting on Representative Wolf, let's take Senate Bill...take that one out, Mr. Clerk. Senate Bill 1524, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1524, a Bill for an Act making appropriations to the Department of Public Aid. Third



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Reading of the Bill."

Speaker Peters: "Out. Jake here? All right, Mr. Clerk. Senate Bill 1423, Representative Wolf. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1423, a Bill for an Act making certain appropriations to the Teachers' Retirement System. Third Reading of the Bill."

Speaker Peters: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker. Senate Bill 1423 appropriates 6.1 million dollars in GRF and 4.6 million dollars in the State Pension Fund for a total of 10.7 million, to the Teachers' Retirement System. This appropriation will fund the certain supplementary benefits pursuant to law for FY'83. It was approved by the Committee by a vote of 12 to nothing. Would ask for a favorable vote on Senate Bill 1423."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1423 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 162 voting 'aye', 1 voting 'nay', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. No. Senate Bill 1424, Representative Wolf. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1424, a Bill for an Act making an appropriation for certain retirement benefits for teachers. Third Reading of the Bill."

Speaker Peters: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the Assembly. Senate Bill 1424 would appropriate 650,000 in GRF for the Public School Teachers' Pension and Retirement System of Chicago. This appropriation will fund the obligations of

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the State of Illinois' portion to certain retired teachers who draw less than a minimal annual pension, which we established by law in this General Assembly, and I would ask for a favorable vote."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1424 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 171 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1498, Representative Rigney. Out of the record? Out? Out of the record. Senate Bill 1514, Representative Matijevich, what purpose do you seek recognition, Sir?"

Matijevich: "Speaker, I would ask leave to return Senate Bill 1514 to the Order of Second Reading for purpose of adopting an Amendment."

Speaker Peters: "You've heard the Gentleman's Motion. Is there objection? There being none, leave is granted. Senate Bill 1514, the Order of Second Reading. Any Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #5..."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House..."

Speaker Peters: "Hold on, John."

Clerk O'Brien: "#5, Matijevich."

Speaker Peters: "Representative Matijevich, Amendment #5."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #5 implements action signed by the Governor yesterday. It adds 6,843,100 dollars to implement the Judges' pay raise. I move for the adoption of Amendment #5."

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Speaker Peters: "Any discussion? Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Peters: "He indicates he will."

Matijevich: "Go ahead."

Friedrich: "Is this in the Governor's budget?"

Matijevich: "We're talking about that. There..."

Friedrich: "We're talking about six million dollars. I'm just wanting to know if that was in the budget that was presented to us back in...in May, or whenever it was."

Matijevich: "Well, I was at a meeting, and the Governor's guy said we'll work it out."

Friedrich: "Well, where are we...What are we going to take it out of, public aid, education or what?"

Matijevich: "These are the same questions Representative Wolf is always asking me."

Friedrich: "Well, I'd like to..."

Matijevich: "Somehow they're always answered."

Friedrich: "Well, I'd like to know what the answers are. Who...Somebody's got to get left out. Is it going to be education, public aid, mental health or what?"

Matijevich: "They're going to work it out."

Friedrich: "Well, somebody gets left out. That's all I wanted to say, and I'm speaking against this Amendment. Somebody gets left out when the Judges, who are already making a minimum of 45, and now it will be moved up - some to 75,000 dollars - are going to be moved on the gravy train. The guy at the bottom of the ladder's going to get left out."

Speaker Peters: "Further discussion? There being none, Representative Matijevich to close."

Matijevich: "We're paying for justice. I move for the adoption of Amendment #5."

Speaker Peters: "The question is...Gentleman requests a Roll Call. Is he joined by five Members? One, two, three,

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four, five, six, seven. Question is, 'Shall Amendment #5 to Senate Bill 1514 be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 102 voting 'aye', 49 voting 'nay', 10 voting 'present'. Amendment #5 to Senate Bill 1514 is adopted. Any further Amendments?"

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

Speaker Peters: "Representative Hoxsey, Amendment #6."

Hoxsey: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment makes some adjustments in the Third District Appellate Court budget. It's in the research division. It increases the contractual line by 5,000 dollars GRF money, and it decreases the equipment line by 3,000 dollars. This enables the court to lease a duplexing writer from IBM company, and they are going to lap some money from one budget to the next. So, the net effect of this Amendment is only a 2,000 dollar GRF increase. I ask your support."

Speaker Peters: "Any discussion? Being none, the question is, 'Shall Amendment #6 to Senate Bill 1514 be adopted?'. Those in favor will signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment 6 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Representative Matijevich, what purpose do you seek recognition?"

Matijevich: "Could we have...Could we have leave to have Senate Bill 1514 heard on Third Reading, so we can..."

Speaker Peters: "Hold on. Gentleman asks leave to hear Senate Bill 1514. Is there objection? There being none, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1514, a Bill for an Act making

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appropriations to the Supreme Court. Third Reading of the Bill."

Matijevich: "Speaker, Ladies and Gentlemen of the House, Senate Bill 1514 appropriates 90,685,466 dollars to administer the judicial system in the State of Illinois. I would appreciate your favorable support."

Speaker Peters: "Questions...Any discussion? Being none, the question is, 'Shall Senate Bill 1514 be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 132 voting 'aye', 40 voting 'nay', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Page six of the Calendar, Senate Bills Third Reading. Senate Bill 1627, Representative Ralph Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1627, a Bill for an Act making appropriations to the Department of Energy and Natural Resources. Third Reading of the Bill."

Speaker Peters: "Representative Dunn, Ralph."

Dunn, Ralph: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1627 appropriates 500,000 from the Public Utilities Fund to the Department of Energy and Natural Resources for Illinois coal research projects. It approved by...The projects have to be approved by the Coal Research Board. It passed out of the Senate 46 to 1, I believe, and passed out of Appropriations Committee 22 to nothing. I'd urge an Affirmative Roll Call. I'd be glad to answer any questions about it."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1627 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'."

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Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 165 voting 'aye', 1 voting 'nay', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representatives Wolf and Matijeovich, is that...is that that on that Order? That's it? All right. Senate Bills Third Reading, page three of the Calendar. Senate Bill 1367, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1367, a Bill for an Act to exempt from taxation receipts from the sales of gas or electricity or transmission of messages to school districts. Third Reading of the Bill."

Speaker Peters: "Representative Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, the Bill amends the Utility Tax Act to exempt school and community college districts and churches or religious denominations from electricity, gas and message tax. I'm sure you are aware that one of the highest increasing taxes throughout the state is the utility tax. An example of this, since 1962, the receipts from the Utility Tax was 167 million, and the estimated tax will be amounting to 582 million dollars. Thus, within a 10 year period, the utility tax have gone over 400 million dollar, or more than triple. This rate of growth not only exceeds the growth of all other state tax revenues, but exceeds the increase in the consumer price index of 74 percent, as well. No, the...all of these here schools and churches and so on are being burdened with the high cost of energy. This is simply a small tax which will relieve them of the five percent gross receipts tax, and would cost in the area of less than 7 million dollars out of a total of estimated revenue of 600

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million dollars, and I would urge your support of this Bill."

Speaker Peters: "Any discussion? Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Peters: "Indicates he will."

Friedrich: "Does part of this tax go back to the municipalities?"

Terzich: "This does not affect the municipal tax. This is the gross receipts tax."

Friedrich: "No, I...No, that's not what I asked. The tax is a state tax, but does part of it go back to the municipalities?"

Terzich: "I don't know."

Friedrich: "Well, Mr. Speaker, Members of the House, just let me say briefly that the municipalities serve the schools and churches which are tax-free in the first place. They provide streets, water, sewer, fire protection district and all those services. The cities are looking to the state for some help in the forms of grants and so on, so they can keep operating. Now, these people are getting a lot of service free to start with, and I think that it makes sense, at least at...somewhere along the line, they pay at least their fair share of something, although they do not pay any local tax of any kind."

Speaker Peters: "Further discussion? Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For those of you that don't recall, this is the one we were talking about the other day, and the Sponsor took it out of the record. This is basically what we classify the utility company boondoggle Bill. This is the one where I read to you the statement sheet from the Illinois Bell Telephone Company, that... Unfortunately, the Sponsor of this Bill is planning on doing something that's going to help school districts, but it...all the Bill, the way it's written

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right now, is going to do is help the utility companies. We're talking about a cost to the state of approximately four million dollars, and the Department of Revenue has come out in strong opposition to the Bill. I would definitely say either...everybody should vote 'no' or 'present'. Before you throw a green vote, I think you'd better make sure what you're voting on. Obviously the Sponsor of the Bill's going to probably disclaim everything that I've said, but he has received and we have received a letter from the utility company saying that they realize the intent of what the Sponsor's trying to do with the Bill, but the way the Bill's written, it doesn't do what he's planning on doing. It's a boondoggle for the utility companies."

Speaker Peters: "Representative Ewing."

Ewing: "The...Would the Sponsor yield for a question?"

Speaker Peters: "He indicates he will."

Ewing: "Representative, this was amended to include an exemption for charities, religious organizations?"

Terzich: "Yes, the Bill was amended now that it only covers religious organizations that are owned or controlled by a church which is exempt from taxation under Section 501C3 of the Internal Revenue Code. So that would only come under, you know, for qualified churches, not any fly-by-night outfit."

Ewing: "Really, your explanation kind of winds down, like you need to be wound up. Could you... I couldn't hear the last of your muttering."

Terzich: "I said that it's covered under the 501C3 Internal Revenue Code, which defines what a non-profit organization is. So, that would eliminate some of the things that you were concerned about the other day, and this will just make sure that those churches and schools that are covered under



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the Internal Revenue Code would only be eligible for the exemption. And therefore it just gives a better definition of churches and church organizations for the purpose of this exemption."

Ewing: "Thank you. That helped. Now, did you know...can you guarantee us that the Moonies aren't exempt under that?"

Terzich: "I...I am not going to guarantee anything other than my good word. However, the...the fact is is that I don't know whether or not they come under the 501C3 non...you know, tax exemption under the IRS Code. I really couldn't tell you. I doubt it. If they are a religious organization and qualify under that, I would assume that they would."

Ewing: "Just a couple more quick questions. You filed a fiscal impact statement. Is that correct?"

Terzich: "There was one filed."

Ewing: "And that...Was that...Did you file that, though? That's the question."

Terzich: "I filed it."

Ewing: "And that was from the Illinois Economic and Fiscal Commission."

Terzich: "That's where it's supposed to come from."

Ewing: "No...Well, I think maybe you better check with your Leadership. They had quite a little fit over one from that same place the other day."

Terzich: "Is that right? I didn't know that."

Ewing: "But, that..that body says that this will cost us 4 million, and that was before we added the religious organization..."

Terzich: "No, before we added the community colleges."

Ewing: "Community college. How much more is that supposed to add?"

Terzich: "The estimate on the community colleges was one million dollars."

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Ewing: "Thank you. Ladies and Gentlemen of the House, I think most everyone's aware of this Bill. I think probably the aims of the Sponsor are laudable; two problems or three problems that I see immediately. First of all, I don't think the Bill will do what the Sponsor wants to do. Now I can't guarantee that nor can he. But, some pretty good authority have said that this will only allow the utilities to keep the tax. It won't give tax relief to churches, won't give tax relief to schools and it will reduce the state treasury. The Sponsor can't guarantee us that this doesn't include the Moonies. Now, I can assure you if the Moonies can get in on this they certainly will do so, and I don't think that's the aim of any of us here in this House. And finally and probably just as important, when we're sitting here passing an austere budget and money is so tight in this state, I really don't see how we can afford this, and I would encourage your 'no' vote."

Speaker Daniels: "Further discussion? Representative Vinson."

Vinson: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Peters: "He indicates he will."

Terzich: "Certainly."

Vinson: "Thank you, Representative."

Terzich: "My pleasure."

Vinson: "Now, as I recall and in the last days of the Session we all get foggy on these things, but as I recall, Amendment #7 was adopted last night."

Terzich: "Very good Amendment, yes. Very good Amendment."

Vinson: "Now, Amendment #7 on lines 7, 8 and 9 of the Amendment has language that says, 'an organization that is owned or controlled by a church which is exempt from taxation, under the pertinent Revenue Code Article'. Now my question, Sir, the phrase, I guess it's actually a clause. The clause,

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begin 8 and 9, beginning with the word which, 'which is exempt from taxation', etcetera; does that clause modify the word church or the word organization in line 7."

Terzich: "It's my understanding it applies to both, whether it's the church or the organization of the church. For example, the organization of the church might be their school."

Vinson: "So, in an organization owned by a church which is exempt under 501C3 would also have the tax exemption."

Terzich: "That's correct."

Vinson: "Would that include a trucking company or a publishing outfit or a real estate holding company that happened to be owned by the church?"

Terzich: "I wouldn't think so, Representative. We don't want to get carried away on this now, do we?"

Vinson: "Well, now, your language and the way you interpreted the language said that the clause applied to the word 'church' and to the word 'organization'. Now, how can you say that it's not going to apply to some organizations owned by the church if it applies to the church, and not to others, Sir?"

Terzich: "Because, that's the way it's interpreted. You asked me and I gave you an answer. How come...How could you interpret it to be a trucking company."

Vinson: "I beg your pardon?"

Terzich: "I said how could you interpret it to be a trucking company."

Vinson: "Well, if the lan..."

Terzich: "It says that, if they qualify under the IRS Code, then they would be eligible under this. You have to give some definition."

Vinson: "But, you said the clause...You said the clause applied to the word church. If the clause applies to the word church, then an organization owned by the church, which is

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a trucking company, would be exempt from taxation."

Terzich: "I wouldn't think so."

Vinson: "Okay. What kinds of organizations owned by churches would not be exempt, and what would be exempt from taxation?"

Terzich: "Well, I don't happen to have any ownership in the church. I just give to the church. I don't have any ownership, so I couldn't tell you."

Vinson: "You can't tell us what kinds of organizations owned by churches would and would not be exempt from taxation under this?"

Terzich: "That's correct."

Vinson: "So, we're asked to vote on an Amendment that we cannot determine the fiscal impact of, because we don't know who would be exempt and who would not be exempt from taxation under the terms of your legislation."

Terzich: "Yes, I just told you, the ones that are covered under the IRS Code as a non, you know, taxed organization, non-profit organization."

Vinson: "Well, now wait a minute. Let's go back to that. You say the clause applies to the word church, as well as the word organization. Is that correct, Sir?"

Terzich: "Would you...As defined by the IRS, by the Internal Revenue Service of the United States of America."

Vinson: "Well, Mr. Speaker, to the Bill. What the Gentleman has just said is that the clause, which is exempt from taxation under Section 501C3, applies to the word church. Now, if that clause applies to the word church, then any organization owned by a church is exempt from taxation under his proposal. Now, what that means is, if a church owns a trucking company, a publishing company, a bank, a real estate holding company; it...it is exempt from taxation under this proposal. And that means the revenue

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loss could be extraordinary. Now, the alternative, he suggests, is that some organizations owned by churches are exempt and some organizations owned by churches are not exempt. If that is the case, then there is no way of determining the fiscal impact of this, because we have no way of deciding what organizations are subject to taxation and what are not. And, for those reasons, I would urge Members to vote against the Bill until we can get an adequate grasp on the fiscal impact."

Speaker Peters: "Further discussion? Representative Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. First, I would point out that the Utility Tax in Illinois has tripled over the last 10 years, when the consumer price index has perhaps doubled. So, we have a tax on the books in Illinois that is growing much faster than inflation; that is growing much faster than the consumer price index, and what we are trying to do here is to provide some release...relief, some tax relief, to some of these charitable organizations. To answer some of the questions that have been brought up earlier in the debate, I can say that I believe that any organization who would be tax-exempt under this status would be entitled to the tax relief. I think there would be a tremendously feasible class action suit brought against the utility companies if they were to collect...if they were to collect this tax and not...and simply to put it in their pocket. The courts have been clear that corporations cannot do that. If they are to collect a tax, they cannot pocket the tax. If they are not expected to collect the tax, they are not going to assess that tax against these churches. I would also point out that the Amendment #5 specifically says that the property has to be used exclusively for religious, educational or charitable uses. I do not think where you

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have a publishing company or a trucking company, as the previous speaker spoke of, that is being used to generate a profit, that you would meet those definitions. The Bill specifically says that the religious institution has to be tax-exempt under the IRS Code, so the IRS will be making the determination. I think that on balance, the Bill is a good Bill. It is well drafted as amended. I think it tries to address some of the problems that our non-profit school districts, community colleges and churches have, and I think that we should support the Bill, and I would ask for your 'yes' vote."

Speaker Peters: "Representative Kustra."

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

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Terzich to close."

Terzich: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I did take all of these things into consideration, especially the letter from the...the Illinois Bell Telephone Company. I contacted the Department of Revenue and have been advised that the utilities would be subject to legal action if they did not pass this cost on to these people who are covered under the Bill. You know, this Bill covers just about every aspect throughout the state: the school districts, the community colleges, the churches. And the cost for the utilities have increase so substantially that this is a big part of their operating costs. Now, this is only five percent. The receipts on this are almost 600 million dollars. This Bill would represent one percent of something that's urgently needed throughout the entire state; that the revenue has been coming in leaps and bounds. As a matter of fact, that there's just been a

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utility increase. It seems like every week and every week that these utility costs go up. The cost to operate the schools, the churches and all that continuously grow, just because of the taxation on this. This is a small portion to help these schools and the children out, that they made a great contribution to the State of Illinois. And we should support this Bill, and I would urge an 'aye' vote on Senate Bill 1367."

Speaker Peters: "The question is, 'Shall Senate Bill 1367 pass?'. Those in favor will signify by vo...voting 'aye', those opposed by voting 'nay'. Representative Hoxsey to explain her vote. Representative Hoxsey to explain her vote."

Hoxsey: "Turn me on. There, great. All I want to do is tell you people in this General Assembly, that if there's anything we don't need is more tax exemption for tax exempt organizations. If we had...If we could only collect just the income tax from the income producing property owned by tax exempt organizations in this country, we could wipe out the national deficit. Now, I suggest a 'no' vote."

Speaker Peters: "Further discussion? Representative Henry to explain his vote."

Henry: "Thank you...Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the other side would lead us to believe that you have to knock on the door to enter a church. They have a clever argument to deny an institution that's playing a major role in our society, and that society needs the tax breaks. If anybody needs the tax breaks, it needs to be our churches. They're not only saving our souls, but they're helping the poor in my community, and I'd urge a green vote on this great Bill that Representative Terzich put quotes to."

Speaker Peters: "Further discussion? Explanation? Take the record, Mr. Clerk. Representative Karpziel, 'no'. On this

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question there are 77...pardon, 77 voting 'aye', 84 voting 'nay'. Representative Terzich requests a Poll of the Absentees. Am I...Is that right, Representative? Does someone want to call me...my attention? Read the...Representative. That's right. Representative Leverenz wishes to go from 'no' to 'aye'. Representative Grossi wants to be recorded from not voting to 'no'. Representative Terzich, your pleasure still?"

Terzich: "Well, yes. I would like a Poll of the Absentees, because I want this Roll Call to go to God, so I want this recorded so... This is a good Bill, and let's...let's have a recorded vote on it."

Speaker Peters: "Does the Gentleman have an amen."

Terzich: "We'll send it to...Mother church and the school district."

Speaker Peters: "Amen. Mr. Clerk, Poll of the Absentees."

Clerk O'Brien: "Poll of the..."

Speaker Peters: "In spite of the fact it's dilatory."

Clerk O'Brien: "Poll of the Absentees. Bianco. Deuster. Flinn. Levin. Martire. McGrew. Richmond and Sam Wolf."

Speaker Peters: "78 'aye', 84 'no'. This Bill, having failed to receive the Constitutional Majority, is lost. Amen and amen. Page five of the Calendar, Senate Bills Third Reading. Senate Bill 1492, Representative Ted Meyer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1492, a Bill for an Act in relation to radiation safety. Third Reading of the Bill."

Speaker Peters: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker and Members. Senate Bill 1492...Oh, yeah. Senate Bill 1492 amends the Radiation and Protection Act and creates a radiate...Radiological Accreditation Board. It requires accreditations of people that are...are administering x-rays to human beings,



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provides that there should be a fee, and the fund shall be collected and that the...and provides for inspection of the...of the x-ray devices. Channel 7, on a series this fall, indicated that there were six inspectors in the metropolitan Chicago area with over 11,500 x-ray machines. This provides for a fee for an inspection. It is supported by the Illinois Dental...Dental Society, the Illinois Medical Society and the Illinois State Radiological Techn...Technologists. It's been worked out. I know of no opposition of this Bill. I urge its adoption."

Speaker Peters: "Any discussion? Representative Schraeder."

Schraeder: "Yes, Mr. Speaker, there's a number of...of people employed in this area and my...in my community, and I wondered if the grandfather clause was attached, as I understood it was going to be."

Speaker Peters: "Representative Schraeder."

Schraeder: "I'm waiting for an answer."

Speaker Peters: "I'm sorry. Representative Meyer."

Meyer: "It isn't an automatic grandfather clause. It...The accreditation will be based upon previous experience and skill. I mean, it isn't the question where, if the Act became effective August 1, that July 20th someone could hang out their shingle as an...as an x-ray technician, and they would be...be grandfathered in. You...You would have to have been employed in the field for..."

Schraeder: "How many...All right. How many are there of these machines in the State of Illinois?"

Meyer: "Well, assuming that Cook County has got...has got approximately half of them - there are 11,500 in Cook County alone - so I would estimate there would probably be 20 - 23,000 in the..."

Schraeder: "All right. Ladies and Gentlemen, that's a very pertinent bit of information, because we're talking about a

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time of economic distress, unemployment; and if in fact there are 20,000 of these x-ray machines in the State of Illinois, that means there must be 2, 3, 4 or 5 employees operating each one of these machines. We're talking about a substantial amount of employees who will lose their job because they are not grandfathered in. Now, you're talking about some kind of requirement or criteria that will be established to put these people under, then I think that should be spelled out. No way can I support a Bill, at this time, that's going to cause a drastic lay-off that will be afforded without the grandfathers clause."

Speaker Peters: "Further discussion? Representative Koehler."

Koehler: "Thank you, Mr. Speaker. Will the Gentleman yield for a question, please?"

Speaker Peters: "Indicates he will."

Koehler: "Representative, I must apologize. I was out speaking with a...a constituent, and...but I do have a question. I, along with several Representatives in my area, have received quite a few telephone calls from those people that Representative Schraeder mentioned that would like to be grandfathered into this particular...to this particular Bill. Now, I'm concerned about these people, because I was wondering if the provisions of this legislation will prevent a person from practicing if they are not licensed by the Radiological Society; if they have been working eight or ten years, but they do not have a license."

Meyer: "Representative Schraeder (sic - Koehler), there will not be an automatic grandfathering in. The...The Accreditation Board, which is composed of...of doctors and technicians and dentists and hospital administrative personnel, will determine how much experience and how much skill is necessary for those people to be grandfathered in. This isn't the...the case where it, as I explained to

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Representative Schraeder, that if the Act becomes effective August 1st, that anybody that says on July 20 that they're an x-ray technician and has no skill and...and experience in the field will not be granted a grand...a license under the grandfather clause. You will have to demonstrate to the Board who will establish the experience in skilled criteria."

Koehler: "Thank you. But, it...One thing that I want to make clear is that they will not automatically be excluded if they do not have a license, that they will be given a chance to demonstrate that experience and skill...through experience and skill.."

Meyer: "Yes. Yes, Ma'am.."

Koehler: "...That they should be qualified to operate."

Meyer: "Yes, Ma'am."

Koehler: "Thank you."

Speaker Peters: "Further discussion? There being none, the Gentleman from Cook, Representative Meyer, to close."

Meyer: "I urge the support of this good Bill."

Speaker Peters: "The question is, 'Shall Senate Bill 1492 pass?'. Those in favor signify by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? The Senate Sponsor of 1492 is in the chamber. Does anyone now wish to reconsider their vote? Welcome, Representative (sic) Senator Marovitz. Have all voted who wish? Have all voted who wish? Representative Greiman, do you seek recognition? Take the record, Mr. Clerk. On this question there are 154 voting 'aye', 14 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1534, Representative Watson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1534, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the

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Bill."

Speaker Peters: "The question is, 'Shall...'. Oh, I'm sorry.  
Representative Watson."

Watson: "Thank you, Mr. Speaker and Members. This is the look-alike drug Bill that is a Senate version. It's identical to the House version, House Bill 2079. This is Senate Bill 1534. It passed out of the Senate with a 57 to nothing vote. House Bill 2079, which is identical, passed out of the Senate this morning with a 59 to nothing vote and will be coming back here for concurrence on a minor Amendment. Originally House Bill 2079 passed out of the House with 170 to nothing vote. I just want to take a couple of minutes of the House to discuss the particular legislation. It will penalize the manufacturer, the distribution, the possession with the intent to manufacture, advertising and possession with the manufacture and simple possession of look-alike drugs. All offenses, with the exception of simple possession, will be considered a Class 3 felony with a maximum fine of \$20,000. Simple possession is punishable with a petty offense carrying a statutory maximum of \$500.00. Now, why do we want to do something in Illinois about look-alike drugs? Some of the literature that these firms are sending out -- and one of them happens to be a T. R. McWitt Company out of Florida that has mailings that come into Illinois. This is one of the mailings that they sent in. It says here, 'Dear friends and customers, T. R. McWitt would like to take this time to suggest a great gift for Christmas. That's right, stimulants. Just think of the stimulation you'd be giving to a close friend or relative if you give T. R. McWitt this season. Just think of the possibilities. Remember, pet rocks are out, but pep pills are in.'. Also in the information that they send it talks about one of their

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products called ephedrine speed. 'T. R. McWitt ephedrine speed is real speed. One of the main ingredients in ephedrine speed is ephedrine sulfate. Ephedrine sulfate is a legal stimulant that imitates amphetamine. The current street value for a single hit of ephedrine speed when they are consumed is \$1.00. The street value of a hit of amphetamine is the same. A bottle of a thousand hits of ephedrine speed costs about \$100.00 or ten cents a hit. If large quantities are bought, you can get them for as low as \$25.00 a bottle or two and a half cents each. At a street value of \$1,000.00 per bottle when sold by the single hit somebody is making quite a profit. Why not let it be you? Remember that you can sell them as speed. The law can do nothing as long as you don't sell them as amphetamine or any other controlled substance'. Well, this is very blatant and it's a problem that's growing in Illinois. It's not something that's just here today and gone tomorrow. It's a problem that's growing in our schools, our high schools, our grade schools, our colleges. And we now have some seven confirmed deaths from an overdose of look-alike drugs. Look-alike drugs are noncontrolled, nonlegend drugs which contain primarily caffeine, ephedrine and phenyl propanolamine. And as I mentioned, they are legal as long as they aren't actually misrepresented. Some sixteen states so far have passed similar legislation banning the sale, advertising and distribution of look-alike drugs. This particular piece of legislation is a combination of the efforts of the Dangerous Drugs Advisory Council, the Attorney General's Office, Senators Netsch, Maitland and Etheredge and Representative Getty and myself. I believe with the growing problem that we're seeing in Illinois, this Bill should be soundly passed and I'd appreciate an affirmative vote."

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Speaker Peters: "Discussion? Representative Stearney."

Stearney: "Would the Gentleman yield?"

Speaker Peters: "Excuse me, Sir. Will the Gentleman between the  
Speaker and the...Thank you. Proceed, Sir."

Stearney: "Mr. Watson, didn't you have a House Bill similar to  
this earlier in the Session?"

Watson: "That's correct."

Stearney: "And that Bill passed out of the House."

Watson: "That is true."

Stearney: "Where is that Bill now?"

Watson: "That Bill just passed the Senate this morning with a 59  
to nothing vote and it's coming back to the House for  
concurrence. There was a minor Amendment."

Stearney: "And how is this Bill different than the Bill that  
passed out of the House?"

Watson: "There's no...There's no difference."

Stearney: "It's the same Bill?"

Watson: "Identical."

Stearney: "Same language?"

Watson: "Same language."

Stearney: "We're just going to send this to the Governor as  
well."

Watson: "That's right."

Stearney: "Okay. Thank you."

Speaker Peters: "Representative Hastert. The question is...Any  
further discussion? There being none, the question is,  
'Shall Senate Bill 1534 pass?'. Those in favor signify by  
voting 'aye', those opposed by voting 'nay'. Have all  
voted who wish? Representative Wolf, 'aye', please, at his  
request. Have all voted who wish? Take the record, Mr.  
Clerk. On this question there are 172 voting 'aye', none  
voting 'nay', 1 voting 'present'. This Bill, having  
received the Constitutional Majority, is hereby declared

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passed. Senate Bill 1558, Representative McAuliffe. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1558, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Peters: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1558 is the so-called chop shop Bill, gives the Secretary of State's police the authority to go in and make checks on junk yards to see if they're selling stolen parts. The Amendment was added in Committee by Representative Leverenz. And I don't think there's any opposition to this Bill. It passed out of the Senate 58 to nothing. I move for a favorable Roll Call."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1558 be adopted? (sic - pass)'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk? The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 167 voting 'aye', none voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1559, Representative McAuliffe? Out of the record. Senate Bill 1588, Representative Barkhausen. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1588, a Bill for an Act to amend the Snowmobile Registration and Safety Act. Third Reading of the Bill."

Speaker Peters: "Representative Barkhausen."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1588, as amended, is an attempt to relieve land owners from liability who in seeking to accommodate snowmobilers, post signs, warning signs on their property

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warning them of ...telling them of the trail or warning them of various hazards. The Bill makes clear that a land owner who posts such a sign is not liable for any error or omission that any injured snowmobiler might claim the land owner was guilty of in the process of posting the sign. So it's an effort both to encourage access to increase snowmobile trails, to increase safety and to make clear that the land owners are not liable for making efforts to warn snowmobilers of hazards along the way. And I would ask for your support of this Bill."

Speaker Peters: "Any discussion? The question is...Just a second. The question is, 'Shall Senate Bill 1588 pass?'. Those in favor ...those opposed will signify by voting 'no'. Those opposed...those in favor will vote 'aye'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. Take the record, Mr. Clerk. On this question there are 168 voting 'aye', 1 voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1656, Representative Telcser. Out of the record. Senate Bill 1685, Representative Pullen? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1685, a Bill for an Act in relation to postage stamp vending machines. Third Reading of the Bill."

Speaker Peters: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, last year the General Assembly passed a law which exempted postage stamp vending machines from any excise or license taxes levied by the state, county or municipality or other taxing districts. These taxes are not levied at this stage, but it was in anticipation that there might be consideration of such tax. The Bill was...the law was



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intended to apply to all local governments, but did not contain a specific prohibition against levying such a tax by home rule units. It has been recommended that that language be specifically included in the Act by this amendatory legislation so that the intent that was passed last year is clarified. And I don't believe that there is controversy involved in this Bill. It did pass the Senate 45 to 4, and I urge your favorable consideration."

Speaker Peters: "Any discussion? Representative Jaffe, discussion?"

Jaffe: "Yes, Mr. Speaker. I rise in opposition to this Bill. This is probably the worst Bill of the Session without any..any doubt. If it's ever a...If ever there was a special interest Bill, this is really a special interest Bill. You know, what it does is it...it takes vending machine operators, and you understand that vending machines are privately owned. They're not owned by municipalities; they're not owned by Governors, or by any other agencies. They are privately owned, and you're giving to these people an exemption, an exemption from the franchise fees. And I want you to know that municipal licenses for these machines range from about ten dollars to fifty dollars with a fee of fifteen dollars per year as the average. And that's according to the National Automatic Merchandisers' Association. So what you're in effect doing is you're saying to local municipalities, 'Well, you can't levy this...this type of fee anymore'. And what you're basically doing is you're eliminating home rule again. You know, it always boggles my mind that those individuals who cry about home rule all the time and give us home rule on the local level, always want to take it away when local governments either do something they dislike or when local governments, you know, are licensing or ..or franchising

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somebody that they don't like or somebody that they have an interest in. This is just an absolutely horrendous Bill. It's a Bill that should be voted down. I urge a 'no' vote on it. And, Mr. Speaker, I would...Mr. Speaker? Mr. Speaker? Ah, Mr. Speaker? Mr. Speaker? I'm right here, Mr. Speaker, in front of you."

Speaker Peters: "Pardon?"

Jaffe: "I'm asking you a question. I'm asking you to make a ruling as to how many votes this would need for passage."

Speaker Peters: "Can we hold that until we see how many it gets?"

Jaffe: "No, Mr. Speaker. You do that too often. We'd like an answer in front for a change."

Speaker Peters: "In keeping...In keeping with the fairness doctrine, the Chair would rule in accordance with the Parliamentarian that this takes 107 votes. That's three-fifths. Yes, Representative Jaffe."

Jaffe: "I just...I just want for the closing, Mr. Speaker. That's a very fair ruling, and I know that you always make fair rulings, Mr. Speaker."

Speaker Peters: "God bless you, Representative Jaffe."

Jaffe: "So, I would say to you, I don't know what this is going to cost any municipality. I don't know what it's going to cost the City of Chicago or any other place. But I just think it's a terrible invasion of home rule. It ought to be voted down. We ought to all vote 'no', and defeat this Bill. And I urge a 'no' vote."

Speaker Peters: "Representative Jaffe, if the Chair may be permitted, please discuss my rulings with Representative Bowman. Representative Greiman."

Greiman: "I had originally risen to ask the same question. But I wonder if the Sponsor can tell us what kind of savings the public could expect to get from the elimination of licensure? Is there theoretically something saving ..."

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Pullen: "...As a matter of fact..."

Greiman: "...As beyond?"

Pullen: "There is a pilot program proceeding now in Northern Illinois for postage stamps to be sold at face value in postage stamp vending machines, and this Bill will facilitate that so that there will be a savings to the public or so that the savings that is planned will not be taken away by home rule units. And it is merely an Amendment to clarify the intent of last year's Act which already prohibits these taxes."

Greiman: "Well, the machines are not exempt though from the...from the use tax or the RTA occupation tax, are they?"

Pullen: "I don't believe so."

Greiman: "So that there still would be taxes on them that you certainly wouldn't be absorbing. You'd certainly ...passing those on, isn't that right? Otherwise the venders would lose money. They don't buy the stamps at a discount, do they?"

Pullen: "They do not buy their stamps at a discount."

Greiman: "So, if they don't buy the stamps at a discount, and there still are taxes and other expenses, it staggers the imagination as to how they might possibly be selling them at face value. Unless they're just wonderfully generous people. As Representative Jaffe has suggested, this is the...sort of the ultimate special interest Bill. It is...It exempts a private industry from taxation. It is not the time for us to give any exemptions to private special interests. This Bill should be defeated, and soundly defeated by both sides of the aisle, by both sides of the aisle. It's fiscally irresponsible. It gives a tax break where none is intended, none is necessary and none is really needed. Thank you."

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Speaker Peters: "Representative Barr. Representative Barr."

Barr: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor of this Bill is taking undeserved abuse on the floor here. Of course, Representative Greiman, it's possible for the owners of these machines to sell the stamps at face value because, as the Sponsor has pointed out, there is a pilot program under way, whereby the Post...the United States Postal Service would sell stamps to owners of these machines at a discount to permit their sale at face value, Representative Greiman. This is a program that the Post Office Department is studying at this very time to make stamps available much more readily to consumers at facilities other than in Post Office Buildings themselves. This is a program that's being considered now. This is a Bill that was passed. The time to object to this Bill, if objections were valid, was last year when we passed it. All the Sponsor is trying to do here is clean up a matter which was raised by the Attorney General and was thought to have been covered by the Bill passed last year. This is good legislation. It's a consumer interest Bill, and the opponents of this Bill are just plain wrong in the things they're saying on the floor. This Bill deserves to be passed."

Speaker Peters: "Further discussion? Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I'd like to move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Pullen to close."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill passed the Senate by a 45 to 4 vote. And I think most people who are concerned about home rule would have taken a

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different look at this Bill in the Senate if it were such an awful, mean, evil, terrible idea. It certainly is not going to cost a great deal of revenue from local governments that aren't even levying these taxes now. It is a Bill for the operation of postage stamp vending machines at face value so that the public can benefit from that. And, I understand why the Gentlemen raised their objections. I understand that very well. And I urge you to vote 'aye'."

Speaker Peters: "The question is, 'Shall Senate Bill 1685 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 95 voting 'aye'. Representative Pullen?"

Pullen: "Would you poll the absentees, please?"

Speaker Peters: "The Lady requests a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees: Bianco. Bradley. Capparelli. Ewell. Henry. Jones. Keane. Krska. Martire. Nautino. Pierce. Margaret Smith. And, C. M. Stiehl."

Speaker Peters: "Representative Domico, do you seek recognition? Representative Giorgi, do you seek recognition? On this question...Representative Klemm? Representative Klemm wishes to be recorded as voting 'aye', 'no' to 'aye'. Representative Sandquist? Were you seeking recognition, Sir? No? Representative...Representative John Dunn? John Dunn wishes to go from 'yes' to 'no'. On this question...Mr. Clerk? On this question there are 95 voting 'aye'...Representative Mautino? The Gentleman from not voting to 'no'. On this...Okay? What's the count? On this question there are 95 voting 'aye', 68 voting 'nay'."

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And the Lady requests Postponed Consideration. Representative Barr, for what purpose do you seek recognition, Sir?"

Barr: "Thank you, Mr. Sp...Thank you, Mr. Speaker. I just wish to make a...an announcement of apology to many of my colleagues. Two or three weeks ago, I...I made a fervent plea, it was reported in the press throughout the State of Illinois, in which I urged Leaders of the Republican Party to join with me and others and the Governor to support and secure ratification of the Equal Rights Amendment. It appears today, after the action in the Senate this afternoon, that my plea was misdirected; that we should have directed our efforts against the President of the Senate and the Leaders of the Democratic Party in the State of Illinois to secure ratification of this important matter."

Speaker Peters: "Representative Johnson, what purpose do you seek recognition?"

Johnson: "Well, with all due respect to Representative Barr - for whom I have a great deal of respect as a Leader of our Party - I have to give some substantial credit to the President of the Senate and the Leader of the Democratic Party in Illinois for putting parti...partisanship aside and examining this issue and gauging his votes on this issue based on the merits of the Constitutional Amendment, rather than raw partisanship. Could I have some order, Mr. Speaker?"

Speaker Peters: "Excuse me. Well, it'll...it'll take a minute, and a minute for Greiman. We'll get it over with. It's a lot easier that way. Continue, Sir."

Johnson: "Thank you, Mr. Speaker and Members of the House. I...I see some raw partisanship starting to purvey this chamber, but I just want to..."

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Speaker Peters: "Cut him off? That's a violation of free speech, Representative Bowman. How can I do that?"

Johnson: "But, in some, Mr. Speaker and Members of the House..."

Speaker Peters: "Just...Just a second. Just a second. I mean, the House of Representatives is the last vestige of freedom. Representative Greiman, what purpose do you seek recognition?"

Greiman: "Well, I wondered what Order of business we were on. Is this good and welfare, or are we on 'Let's Hear from Barr'? Is this 'Barr Hour' or what? The 'Johnson Hour'?"

Speaker Peters: "I...I...The...The Gentleman from Cook, Representative Barr, rose on a point of personal privilege to apologize to the House for a statement he made on the floor. Rep...Representative Johnson then rose on a point of personal privilege feeling that that apology was not warranted and, somehow, he was maligned. Now, the Chair wants to find out whether, in fact, his statements were well taken. Then we can go to you for further. Yes, Sir."

Greiman: "Mr. Speaker, the Chair, afterall, I mean, as tender as you are with their...their feelings, we really should get on with the business of this House. We have lots of work to do, and I can't imagine why Representative Johnson, whose name I'm mentioning, is so tender about this thing. Let's go on with the next Order of business."

Speaker Peters: "Well, now Represent... Yes, now, Representative Johnson says you have mentioned his name, and he does have a point of personal privilege."

Johnson: "Mr. Speaker, I'm shocked."

Speaker Peters: "Then we will call here and it will be over with."

Johnson: "I'm shocked that Representative Greiman, one of the Leaders in the movement for equal rights would feel that this issue is not important enough to discuss on the floor

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of this House, particularly in light of the vote that was just taken in the Senate. The progressive Leadership of the President of the Senate and the head of the Illinois Democratic Party and putting partisanship aside and looking to the merits of the Constitutional Amendment. Representative Barr for whom I have the highest respect, has taken, I think, the floor on a point of personal privilege and addressed the issue from one standpoint. But, from my standpoint and I think probably others on this side would join me; we want to commend Senator Rock for taking the Leadership that he has on the issue. And I'm hopeful that others on this side of the issue will join me in saying that this is an issue that needed to be discussed and, for the first time in a long time, we finally joined in a bipartisan effort to look to the merits of an issue, and I commend Senator Rock in that regard. Thank you."

Speaker Peters: "Representative Greiman, whose name was mentioned, do you seek on a point of personal privilege?"

Greiman: "I...I just never knew that Representative Johnson was such a...an admirer of Senator Rock. It's certainly - or any other Democrat - it's certainly heartening to find out. Perhaps you'd like to vote with us more often."

Speaker Peters: "Is Senator Rock here for a response? No. All right. Where are we? Where are we now? Senate Bills...Did we conclude that Order, Mr. Clerk? All right. Page...No, we've got to go on page six. Page six of the Calendar, Senate Bills Second Reading. I'm sorry. Representative Daniels, for what purpose do you seek recognition?"

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Senator Marovitz had come over from the Senate when he heard the Cubs being debated and asked me to remind all of you that there's an outstanding game July 30th, the White Sox, that



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you're all invited to to participate in the White Sox Legislative Night out at White Sox ball park. And keep in mind, they have night baseball. They enjoy night baseball, and they'd like you all to come and join them, July 30th."

Speaker Peters: "Representative Daniels? Representative Daniels, I understand Senator Marovitz is picking up the tab. Is that correct?"

Daniels: "He is picking up the tab. He really is a Cub's fan in disguise, but we want the Sox to win."

Speaker Peters: "All right. Senate Bills...Senate Bills, Third Reading. We're getting...We're getting almost there. Senate Bills, Third Reading. Page six of the Calendar, top of the page. Senate Bill 1559. Representative McAuliffe. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1559, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Peters: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1559, as amended, is the mandatory automobile insurance Bill, self...self-certification type of approach to mandatory auto insurance. No motor vehicle would be allowed to be driven unless it had...the owner had bought insurance."

Speaker Peters: "Any discussion? Representative Epton."

Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I believe this is the first and only time that I've ever spoken against a Bill sponsored by my colleague on this side of the aisle, and I hope it will be the last time. I think you all know that I am a good friend of Secretary of State, Jim Edgar. We've discussed this at great length. It's unfortunate that it's become a political issue like some of the other issues. But this House has paid several thousands of dollars to the Illinois

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Insurance Laws Study Commission. And we have had public hearings on this compulsory insurance for the past ten years. Twenty-nine states have passed this. Of the twenty-nine states, twenty-two of them have tried to rescind or amend that compulsory auto insurance Bill. In every state where this has been passed - Massachusetts, for example - does not have enough policemen to pick up the license plates. The people who are not insured would have to pay to get insurance, and generally in most cases pay on a time basis, which means they can get their insurance coverage by paying one month's premium and then cancelling it. As a result, any attempt to enforce would be at a substantial cost to the administration and it certainly seems that if there ever were a time when we were looking to save money, now is the time. I should add that I have a very definite conflict of interest in this instance. If this Bill passes, insurance companies which I have substantial interest in will obtain a good deal of the business. This will be the inner-city business, which generally is not written. My companies will charge high premiums, will get these risks and in turn, eventually will pass it on to each and every one of the Ladies and Gentlemen in this House as well as the residents of the State of Illinois. I could go down the list of the states that would like to rescind this. The fact remains that of the twenty-six that have previously passed it, twenty have no fault. Even with no fault, which we do not have, they have found that they have more...they have more uninsured drivers after the passage of compulsory insurance than less. It really is a shame that I have to take the floor to speak against my colleague, my good friend and the Secretary of State. But I think that we must act responsibly and to make this a political issue is something

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that this House should not allow to happen. I could go on at great length. I know there are other important Bills awaiting your pleasure, but I would plead with you not to become embroiled in a political issue and not to pass a Bill, which is not only unworkable, but will be costly to this administration which is trying to save each and every penny. Thank you."

Speaker Peters: "Further discussion? Representative Greiman?"

Greiman: "A question of the Sponsor, if I might. Who is the Sponsor?"

Speaker Peters: "Representative Greiman? Who will be answering?"

Greiman: "McAuliffe?"

Speaker Peters: "McAuliffe. Proceed, Sir."

Greiman: "Okay. If this Bill passed, would residents of Illinois still have to have uninsured motorists and underinsured motorists insurance?"

McAuliffe: "I believe they would because probably everybody wouldn't comply with the law."

Greiman: "So that...that would not be a savings then on that part of their insurance policy. Is that right?"

McAuliffe: "That wouldn't be a savings, no."

Greiman: "It would not be a savings. Is there any method in this Bill to advise the Secretary of State where there has been a cancellation of insurance?"

McAuliffe: "Well, they intend to use a spot check and a random check as a way of enforcing it."

Greiman: "What do you mean by a random check? What does that mean? I mean, you could go 200 people who have not had their insurance cancelled and then the 201st one is the person who has it cancelled..it's cancelled. Right?"

McAuliffe: "Yes."

Greiman: "So that there is no method, for example where the insurance companies would have to advise the Secretary of

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State. Is that right? The Secretary of State would never know once one had insurance and then had it cancelled. Is that right?"

McAuliffe: "The only ones that the Secretary of State would have to notify...be notified by the insurance companies is if someone had insurance that had previously not been in compliance...had their license suspended and got insurance so, if they cancelled it they would have to notify the Secretary of State."

Greiman: "Well, okay. Then, on the Bill, I have concerns that, first, that the premiums of other Illinois residents would substantially and significantly rise because of this, and that right now the money that we pay for uninsured motorists is relatively inexpensive, most of us who have insurance. Our premiums would be significantly increased. The other issue, however, is that there is no way to verify a cancellation. Much insurance in this country is ...is purchased by..on time. There are installment payments due, sometimes with your car..with your car financier or whoever. What will happen is someone will have insurance, show the card and then he will stop paying or go in default. And the insurance policy will be cancelled. This Bill has no device to..to have the insurance company advise the Secretary of State that this person is now without insurance. And that's the fatal flaw of this Bill. Indeed it is unfortunate as Representative Epton said, that it is politicized. But there has been a Bill - in fact, my own running mate, Representative Laurino - has carried a Bill for many years in this and has fought for this concept. So that it's unfortunate that this concept becomes Cosentino's or Edgar's or anybody else's. It's a concept; we should work on it; we should work on it next year and the years to come, but we should not vote for this Bill which is clearly

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not ready for passage. Thank you."

Speaker Peters: "Further discussion? Representative Terzich."

Terzich: "Yes, would the Sponsor answer a couple of questions?"

Speaker Peters: "Indicates he will."

Terzich: "We're talking about mandatory insurance. Could you tell me what insurance is mandatory under this Bill?"

McAuliffe: "Liability insurance."

Terzich: "Just liability? How much liability?"

McAuliffe: "Fifteen, thirty and ten."

Terzich: "What's the fifteen, thirty and ten? What is the ten? Is that property damage or what?"

McAuliffe: "Property damage, ten thousand dollars."

Terzich: "Then it just...It isn't just liability. It also does cover property damage."

McAuliffe: "Yes."

Terzich: "Now, under the present state law, everyone who does have insurance has to have the minimum uninsured motorists, I believe, of fifteen and thirty. Do they not?"

McAuliffe: "I really don't know. I'm sure you know because..."

Terzich: "Well, you have the staff people there. Is that correct? The uninsured motorists..."

McAuliffe: "...Ask me that question...Ask me that question again."

Terzich: "Everyone who purchased insurance in the State of Illinois has to have the uninsured motorists coverage for the minimum amount of fifteen and thirty."

McAuliffe: "I'm told that it's mandatory that the insurance company offers it, but you don't have to buy the uninsured motorists unless you want to."

Terzich: "So they just offer; you don't have to buy it. You don't have to buy the minimum of..."

McAuliffe: "You don't have to buy the uninsured motorists unless you want to."

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Terzich: "All right. Well, Ladies and Gentlemen of the House, you know, this has not worked in other states. If you are concerned that the people...that you are responsible people that do have insurance and are concerned that they are protected for their own benefit. And believe me, when I tell you if you purchase your insurance you're purchasing it to protect yourself from a loss, not someone else. If you're concerned about rates, if you're concerned about a problem that when you want to get your drivers license or your license plates that you're going to be in the control of an insurance company and they're going to determine whether or not you can drive on the streets. If you're concerned about making sure that you're not struck by an automobile that's from out-of-state or stolen or uninsured driver, you're talking about a cost here somewhere about five million dollars. There's no guarantee on it. The uninsured motorists coverage and underinsured motorists coverage provides coverage for those people who are concerned about the uninsured motorists, and I don't think we should burden the people of the State of Illinois by adding on to their costs. There isn't one insurance company that I know of in this state or any other state that will advocate mandatory insurance, and we should be looking at no fault, and we should be looking at a way to get the drivers and penalize those people who do not live up to their civil responsibility of having insurance. And I would urge a 'no' vote."

Speaker Peters: "Representative Deuster."

Deuster: "If the Sponsor would yield for a question? It is my understanding that the principal objection of the insurance industry is that the bureaucracy and the cost involved in compulsory insurance just is too overwhelming and doesn't merit it, and that you would almost have to set up a new

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building with a lot of computers in order to keep track of who's got insurance and what insurance has been cancelled and so forth. It is my understanding, Mr. Sponsor, that this Bill provides that the Secretary of State may, may do some random sampling, but doesn't have to. Is that correct?"

McAuliffe: "Well, he doesn't have to, but he will."

Deuster: "He will? What has....Has he made a cost estimate of..of what equipment, personnel and expenditures will be required in order to make the random sampling that he feels is adequate?"

McAuliffe: "First year cost would be \$64,141 according to the Secretary of State's estimate, additional cost. It would total...The first year cost would be \$347,922. That's their best estimate."

Terzich: "Now, in the event that the funds are not appropriated or the Secretary of State experiences that this doesn't seem to be working out, under this Bill that you're presenting, Representative McAuliffe, would he have the authority simply not to make those random samplings?"

McAuliffe: "Well, we have a sunset provision where the law will expire, I think, in 1987. If it doesn't work out it'll self-destruct in 1987."

Terzich: "Do you feel that the concerns of the insurance industry have been satisfied by this legislation?"

McAuliffe: "Well, the insurance industry has always been known to be against it. I voted for every mandatory insurance Bill that's came before this General Assembly, including the one that Representative Laurino had and the one that Representative Hanahan had, and I don't think the insurance companies ever were in favor of any mandatory insurance. So, I don't think we've satisfied the insurance companies. I don't know whether they even seriously tried

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to."

Terzich: "Well, what..what specifically in your Bill don't they like? I know the Bill includes..."

McAuliffe: "They don't like the Bill, period."

Terzich: "Well, your Bill includes: 1) a provision that it's against the law to drive an automobile in Illinois without being covered by insurance. Is that correct?"

McAuliffe: "That's correct."

Terzich: "And secondly, that if a cop does pick..a police officer does pick you up and give you a ticket that your license will be suspended."

McAuliffe: "That's right."

Terzich: "That doesn't involve any bureaucracy particularly. But thirdly, I think the obnoxious feature for the insurance industry is the requirement that the Secretary of State get into this business of random sampling. As Sponsor, have you made an effort to change the Bill in any way to respond to the concerns of the industry?"

McAuliffe: "Well, nobody has come to me with any Amendments. If you have an Amendment, I haven't heard from you yet."

Terzich: "All right. Fine. Well, if I might speak to the Bill. Mr. Speaker and Ladies and Gentlemen of the House, I think the Secretary of State is an efficient administrator and, as a person who came out of the insurance industry, I am aware that compulsory insurance has just not worked in other states. You spend a lot of money; you set up a bureaucracy and you find that there's hardly any impact or dent at all in the number of uninsured motorists. And, of course, those who drive in from other states aren't affected particularly. And so I am extremely concerned about involving the Secretary of State in trying to administer this because, somebody applies for a license, he proves he's got insurance, the next week he doesn't pay



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his premium, the policy is cancelled, and the only way you can keep on top of that is to have a massive bureaucracy keeping in touch with the Secretary of State and every insurance company doing business in the State of Illinois. However, I have confidence in the Secretary of State and I'm sure he's going to learn that very soon and not..and not get too involved in that area. However, what I like about this Bill and why I intend to vote for it is the simple provision that it makes it an offense for anybody to drive a car in Illinois without insurance. So that, when a police officer stops someone on the highway for not having a tail light or for weaving down the road, he may ...he may smell marijuana and find the possession of an illegal substance, or he may find the person intoxicated, or he may do a check through the computers and find that the license has been suspended or revoked. He may find a lot of things. But I think it would be very good for the police officer also to be able to ask you, 'Do you have evidence of insurance?'. And if you don't, he can give you a ticket. And that is a very simple, efficient, very cost-effective way to enforce this law. And because of that provision in the Bill, which I think is good and which I think our constituents want, I intend to support the Bill even though I know there's the bureaucracy possibility that is obnoxious to the insurance industry, and in the event the Bill doesn't get enough votes on Third Reading perhaps the Sponsor would take it back to Second Reading to get rid of that aspect of the legislation. But I intend to support it and I urge some green votes when we get to the..to the Roll Call on this legislation."

Speaker Peters: "Representative Reilly."

Reilly: "Thank you Mr...Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Senate Bill

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1559. Your constituents, you, everybody in this state knows that there is a major problem. Nothing is more irritating, indeed devastating sometimes to families, individuals in this state, than to be in a serious accident which happens with tragic frequency only to find out that the guy, the woman, the person that ran into you, that caused the accident, who's clearly at fault, who perhaps maims you for life, or kills a loved one, doesn't have insurance. You all know you hear that from your constituents every day of the week. You all know that your constituents want this Bill. You all know that we've all taken polls over the years. Some have been publicized in the newspapers just in the last few weeks which show that 70, 80, 90% of the people in every district in this state think that everybody who drives ought to have insurance. This Bill, which has been as carefully worked out as we know how to make it, is a distinct improvement over previous proposals. It is a compromise between those proposals that have been offered in the past, in 1975, in 1977 and in 1979, which contain no enforcement procedures whatsoever. Those Bills offered those three years which passed this House overwhelmingly contain no enforcement provisions whatsoever. All you did was sign your name on the application blank and check a box that said you had insurance. Those passed in 1975 with..with 120 votes, in 1977 with 124 votes, and in 1979 with 135 votes. Two of the people who spoke most strongly against this Bill voted 'yes' all three times. You will find that most of you, or a large majority of the Members of this House, have voted 'yes' in previous days. This is a Bill that takes a reasonable stance between those who want no action at all and those who would instigate a huge, expensive bureaucracy in this state which we can't afford and which we don't

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need. This is a good step. It is enforceable. It is well worked out. It takes a first step towards requiring that everybody who drives has to have insurance in this state. Your constituents want it; you voted for it before. It's a good Bill. It ought to pass this General Assembly and go over to the Senate."

Speaker Peters: "Representative Beatty."

Beatty: "I move the previous question."

Speaker Peters: "The question...The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Schraeder to close."

Schraeder: "Thank you, Mr. Speaker, Members of the House. I ask you to please bear with me. You were kind to me the other day and I hope you will do likewise today. First of all, I..before making some brief remarks, I'd just like to point out that one of the previous speakers on my side, a dear friend, a very conscientious Legislator, spoke about why we should have compulsory automobile insurance. It's quite interesting because in the last Sessions that this was debated, '75, '77 and '79, he was one of the persons that was very strong that we ought to have it, and so he was an advocate at this time. All of a sudden this year he's opposed. That's a rather surprising thing. You know, you like to keep up on what other Legislators are doing and so forth. But he turned about. And then also, most of the Leadership on our side were supportive of it in every time it came to pass. The Minority Leader, the Whips and so forth were very supportive of it. In fact, the Minority Whip was supportive of it the three different times that it came to bout. And I'm sure he's going to be supportive of it this time because he's a believer in..in mandatory insurance as well. So, the Leadership on this side have

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indicated by three previous votes over those years that they are supportive. And, one of the questions was raised about verification of cancellation of new policies. I think that's very important, because the subsequent question was, 'What would happen with an increase in bureaucracy with the..the imposition of a mandatory automobile insurance?'. And it's very clear that with this proposal that's before you today it's a proposal that is a meeting of many minds over these many years. Both sides of the aisle have input in it. The insurance companies had an opportunity to do so. At this time they saw fit to stay out of the picture and just take a..a verbal 'no'. And I think that's rather shocking too, because most lobbyists, when they have insurance, want some input in it. But they didn't do that. And so, it's...it's their fault if it's something that might be in there they're not in approval of. But let me say this, there are some things that are very interesting in this proposal that reduce the cost to the State of Illinois and can be implemented by the Secretary of State with very little cost. The matter of random checking of policy coverage I think is probably one of the most unique parts of this legislation. The very fact that it is the first time we've had a chance to get into compulsory automobile insurance that has a feature such as this that would keep the costs at a very minimum. And with the sunset provision, after four years beginning with the implementation of this in July..July 1 of '83, then we can see if the random selection should be expanded, if it's worked well. And I would dare say that at that point in time you will find that this type of automobile liability insurance would be an excellent means. Verification on the sampling random has been invoked in six or seven other states and it's worked very well. The

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question of...of ID cards may come to mind. That's a very simple process. Probably in your pocket now you have an insurance card saying the name of your insurance carrier, your agent, the policy number and who to locate and so forth. And that's a simple thing. That will be easy to do. You probably have it in your pocket as you do the other one. Your wife will probably have it in your (her) purse. You know that they always have plenty of room for another card or two. And that's a minor thing. We didn't talk about penalties for convictions and I think that that certainly is a wise thing to talk about. There's a \$250.00 fine, a three month's suspension on a first conviction with a \$500.00 fine and a six month's suspension on a subsequent conviction. Then, if you want to get your license back, there's a \$15.00 reinstatement fee. I think these are reasonable requirements with a new law and are very good. The cost of the program, as I understand it, will be about \$350,000 the first year for implementation and then dropping down to \$285,000. Now, with all those provisions, it's very essential that we hit the most essential thing in this whole program of automobile liability, mandatory insurance, and that's the fact that throughout the State of Illinois the bulk of the people now are carrying insurance coverage that cost them premium dollars because somebody else down the street or down the road in the adjoining community have flatly refused to pay their share of the automobile insurance coverage. And so, why should your constituency have to pay for the guy who will not have insurance to get the coverage for a noninsured driver? I think that's the biggest asset of this whole Bill. We can reduce the premium cost to carriers of insurance by making it mandatory and so that if, even if all the people that are required to get it do not get coverage, the percentage

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will drop off substantially and that would require and would certainly substantially reduce premiums cost. Let me say this, in the City of Chicago, in the northwest, that's where the predominance of drivers that drive without coverage. Downstate the percentage is very low in terms of not having coverage. But I think, wherever you live in the state, the metropolitan Chicago and those constituents there will certainly benefit more widely by this insurance coverage, and I think that, in keeping with the past history of this kind of legislation, that I would certainly recommend that all my leaders on this side, my Membership of the Democratic Party, and certainly all those Republicans as well, could very well support this piece of legislation that can be a milestone in the history of Illinois drivers licensing and procedures. And thank you very much. I ask an 'aye' vote."

Speaker Peters: "The question is, 'Shall Senate Bill 1559 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Representative Emil Jones to explain his vote."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I sort of regret that the previous question was moved because several questions have not been asked in regard to this piece of legislation. The previous speaker alluded to the City of Chicago, about the rates there. But one of the reasons why I'm opposed to this legislation is because there is nothing in there to protect the consumers in the City of Chicago. The consumers in the City of Chicago do not cause the traffic congestion. It's caused by those individuals living outside the City of Chicago and I was one of those persons who voted against this legislation when it appeared before us three years ago. Fortunately we had a Governor then that saw the wisdom of

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this legislation not becoming law and he vetoed it. And I urge each Member on this side of the aisle to vote against this legislation because it is not in the best interests of the people of the State of Illinois, and we do not have any rate regulation in there. And the people will be left at the mercy of many of these unscrupulous..."

Speaker Peters: "Excuse me. Proceed, Representative Jones."

Jones: "Many of the people who live in the City of Chicago will be left at the mercy of these second and third rate unscrupulous insurance companies who would be able to charge them any premium they so desire. There is nothing in here that would control the rates for the consumers. It's a bad piece of legislation. The Sponsor knows it. He knows it because he has just got through passing some legislation to control the automobile industry. So I don't see why he didn't put in here some rate control to protect the people in the State of Illinois so they won't be robbed. If you put a rate control in there, maybe we could support it. But you know that it's bad legislation and it should go down to defeat as we see it is."

Speaker Peters: "Representative Swanstrom to explain his vote."

Swanstrom: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, rarely do I agree with the last speaker, but in this particular case, I do. The concept of compulsory insurance certainly sounds good, but it's absolutely impossible to enforce this sort of law. There are tremendous administrative problems with any method of mandatory auto insurance. Other states which have compulsory auto insurance have encountered excessive paperwork, higher claim rates and extreme enforcement difficulties. I urge you to vote 'no' on Senate Bill 1559."

Speaker Peters: "Representative Giorgi. One minute to explain your vote, Sir."

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Giorgi: "I made a study of Bills introduced to crimp the insurance industry in the last three Sessions of the General Assembly. One hundred Bills were introduced in the 79th. Three became law. Ninety were introduced in the 80th. About six became law. They clobbered all my Bills. Look what they're doing to this Bill. Look what they're doing. Look what the insurance industry is doing to you. They've driven you to your knees. Is Edgar getting elected from this? Take the lesson to Edgar."

Speaker Peters: "Representative Mautino to explain his vote."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As drafted, this legislation is efficient, but it is not effective. The major question raised in the Committee on this issue was the intent that would make yearly premiums the added result. In other words, more and more people are going to a monthly and a quarterly premium payment. By virtue of enacting this type of legislation, the end result could conceivably be annual premiums. I know of very few people in the driving public that can today afford annual premiums. That's why there's such a movement to monthly. I think that even though it is efficiently drafted, the effect of it will certainly be devastating to the people paying the premiums and..."

Speaker Peters: "Conclude, Representative. Okay? Representative Birkinbine to explain his vote."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise with reluctance to oppose a Bill sponsored by a friend. But I think we should learn from experience. Back in the late '50's the State of New York was encouraged in part by the New York Daily News to adopt compulsory auto insurance. Ten years later they did a study of what happened. Quote, '...the compulsory auto insurance law has failed miserably to achieve its aims.



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The compulsory auto insurance law permitted cheating that has fleeced law-abiding drivers of more than one hundred million dollars in the last nine years. New York drivers pay the second highest premiums in the country topped only by Massachusetts, which also has a compulsory insurance law. A police detective from the Bronx displayed desk drawers full of revocation orders explaining that he just did not have the manpower to spare to go out and track down the violators'. It's a good sounding idea, but it doesn't work, and of the twenty-nine states that have adopted it, twenty-two have either changed or are in the process of doing so. I recommend we not take that first step into a bad.."

Speaker Peters: "Representative Robbins to explain his vote."

Robbins: "Mr. Speaker and Ladies and Gentlemen of the House, I would like you to know that you passed legislation which requires the fertilizer industry to carry compulsory insurance on an annual basis. It is renewed at the Secretary of State's Office the first of January of every year. I would also like for you to realize that this can be done, even if it means a yearly premium. One of the things that you have to look at is, 'What do the people in your district want?', not necessarily what the insurance companies want because they have the people if they want paying the premium. They have the middle class people carrying the insurance for everybody, for themselves and for the uninsured as well. So, they have the hard working man having the money taken out of.."

Speaker Peters: "Representative Robbins, conclude, Sir, please."

Robbins: "They have the money taken out of his paycheck to pay for the other fellow's insurance also. Thank you very much."

Speaker Peters: "Representative Ebbesen to explain his vote."

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Ebbesen: "Well, yes, Mr. Speaker and Ladies and Gentlemen of the House, very briefly, about 32 people up there haven't voted and if you look at the third paragraph in the Bill, if it will help put some more affirmative votes up there, which I think there should be, that if you look at that third paragraph you'll find that this Bill is only effective on Sunday's when the automobile dealers aren't working."

Speaker Peters: "Representative Ropp to explain his vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. I come from a district that has more insurance companies than any other district in the State of Illinois, I'm sure. And they're all opposed to this concept. Let me say, I conducted a poll also in my district which far exceeded 80% of the people that supported it. There is an attempt in this state to put on the ballot a referendum which says that if people want to pass laws, that they can do that. If the Legislature continues to not listen to the vast majority of people on this and other issues, you can expect that proposal to pass. This may not be the best thing that ever happened. But when a vast majority of people are interested in it, I think they should be given a listening ear. This particular Bill is one hundred times better than the other one that was even introduced that did not get out of Committee. I urge a green vote."

Speaker Peters: "Representative Hoxsey to explain her vote."

Hoxsey: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, in downstate Illinois, if you would check with your local township officials, your county officials, your county board members and ask them how much money the local taxpayers have had to pay out to pay medical bills for people who have been severely injured in automobile accidents with no liability insurance from the other driver, and I know of many, many cases where it has cost

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thousands and thousands of dollars in the local hospitals to take care of these people, and absolutely no insurance for the driver that caused the accident. You might check it out with your local officials and see what they think about mandatory insurance."

Speaker Peters: "Representative McAuliffe to explain his vote."

McAuliffe: "Brief explanation of my vote, Mr. Speaker. I just invited Representative Jones over here to give me that Amendment. We'll put it on the Bill. He promised he'd help us pass it out. Is that right? Okay. Some of the other speakers mentioned that this is not a workable plan. I can give you three examples. The State of Oregon had 14% uninsured drivers before the law went into effect. They currently have only 5% uninsured. The State of Pennsylvania had 15 to 16% uninsured drivers before the law went into effect in Pennsylvania. Now they're down to 5 1/2% or 6% uninsured. In South Carolina they had 12 to 13% uninsured before the law. Now they're down to 4%. This is the one issue that the people back home in your districts feel very, very strongly about. I recently mailed out some questionnaires and on the bottom of the questionnaire there was a space for people to write in their comments about any law that they would like to see written if they could do it themselves. And 80% of the comments were people indicating that they were interested in a law with mandatory automobile insurance. People at home are tired of getting involved in an accident with irresponsible people who don't carry insurance. They have to go out and get their cars fixed. Many times they don't report it to their insurance companies. They pay it out of their own pocket because they're fearful of their own rates going up. This is a chance to give the people back home what they want. I can see by the Roll Call that we're not going to get..."

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Speaker Peters: "Representative, conclude your remarks please."

McAuliffe: "I would appreciate if some of the red votes and some of those voting 'present' crossed over and voted green. I said I'd supported all the other mandatory insurance Bills through. In fact, I even handled one for a Democratic Member of the House who wasn't in Committee that day. We passed them out of the House, couldn't pass them in the Senate. This time we got this Bill out of the Senate. Now it's a chance to send it back to the Senate for concurrence. And I'd urge some more 'aye' votes."

Speaker Peters: "Representative Huff to explain his vote."

Huff: "Thank you, Mr. Speaker. In response to Representative McAuliffe, in my district we don't have insurance because...contrary to the often stated claims of the insurance companies that they have competition, we can't find these insurance offices in our districts. And that's one of the reasons we don't have insurance. And I'm opposed to this until we can get the Department of Insurance to exercise more control over the insurance companies."

Speaker Peters: "Representative Huff conclude, please. Representative Huskey to explain his vote."

Huskey: "Well, Mr. Speaker, Ladies and Gentlemen of the House, some of the people that have their red lights up there have come to the Motor Vehicle Committee or the Transportation Committee to get their insurance Bills out. They say that they can't take it to the Insurance Committee because they were definitely against it. But they'll come to the Motor Vehicle Committee because they would be more favorable to getting a compulsory motor vehicle Bill out. And they're voting 'no'. Now, the most...the one, foremost thing that the public..that your voter wants is a compulsory automobile insurance. You're voting against the very thing

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you're sent down here to do. I hear the fancy soothsayers say it does not work. How do they know it does not work? They've never tried it. You've got to try it and then say it doesn't work and then you can repeal it if it's bad. But you've got to first give it a chance to see if it will work. Anything..."

Speaker Peters: "Conclude your remarks, Representative."

Huskey: "...Anything will work if you've got the willpower and the knowledge to make it work. And we've got that. So, give us a 'yes' vote."

Speaker Peters: "Representative...Representative Schraeder to explain his vote."

Schraeder: "Yes, Mr. Speaker. I look at those yellow lights up there and it leads me to believe that there must be a flaw or some particular part of the Bill that those Members do not like. And let me say this, since this is a bipartisan effort, the Sponsor, the Chief Sponsor in the Senate was Charlie Chew. And you know, Charlie is very well known to working with everyone to bring the legislation into the context that everyone wants it. Let me say this, that I'm quite sure and I'm positive the commitment is there that ..that Senator Chew will be more than happy to work with..with everyone to..to bring in those provisions that they might personally like to be in it. But the thing about this again I'd like to stress very clearly is that this protects the guy that's buying the insurance now. Why should we protect individuals who absolutely refuse to buy insurance? Protect your constituency and please give us the 89 votes."

Speaker Peters: "Representative Winchester to explain his vote."

Winchester: "Thank you, Mr. Speaker. The constituents in my district support this type of legislation. But to answer Representative Schraeder's question as to why there's a lot

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of yellow votes up there on the Board, and supposedly this is a bipartisan issue, is because there's two proposals, the Cosentino Bill and the Edgar Bill. And I think a lot of those people on the other side are voting 'present' for political reasons, not for their constituents, but because it's an election year and they want to make sure that their guy gets some kind of chance or our guy doesn't get one up. And that's irresponsibility. You need to be voting green."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On ...on this question there are 76 voting 'aye', 60 voting 'nay'...Representative McAuliffe?"

McAuliffe: "Poll the absentees."

Speaker Peters: "Poll the absentees. Representative Jones, for what purpose do you seek recognition?"

Jones: "Mr. Speaker, it's quite obvious that there is not enough votes there when you poll the absentees to give him 89. So I suggest that you rule his request dilatory."

Speaker Peters: "Well, we..we did extend that courtesy though to Representative Terzich. Names.."

Clerk Leone: "Poll of the Absentees: Bowman. DiPrima. Martire. Margaret Smith. And, Irv Smith."

Speaker Peters: "Representative McAuliffe? Representative, Postponed? Pardon? Let it go? On this question there are 76 voting 'aye', 60 voting 'nay', 36 voting 'present'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Yes, Representative Madigan. For what purpose do you seek recognition, Sir?"

Madigan: "I just wanted to inform you, Mr. Speaker, that there are no Members on this side of the aisle...there are no Members on this side of the aisle who wish to go to the question of the rules. We're not...We're not interested in the question of the rules or the majority vote."

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Speaker Peters: "It never dawned on me, Representative."

Madigan: "I know you were concerned about that."

Speaker Peters: "No. No. I...I'm just trying to get a schedule for the next four days. And, pardon? The Chair makes the following announcement. For this evening we will conclude the Bills on Second Reading at which point we will adjourn until tomorrow at about...all right. We will conclude...We will conclude Second Readings tonight. Adjourn until tomorrow about 10:00 o'clock, continue the business of the House in terms of the Third Reading Calendar and whatever concurrences we may have and whatever other business we may have in order to then adjourn and return at nine a. m. on Saturday to conclude business at that point at whatever hour, and return on Sunday at approximately...at six o'clock. Those of you who are interested in making your schedule, that would be ...that would be the order. Senate Bills, Second Reading. Senate Bill 1396, Representative Wolf. Representative Davis. When are we going to do these?"

Davis: "Well, Mr. Speaker, that Bill has been combined into Senate Bill 14..."

Speaker Peters: "All right. Okay. Senate Bill 1397, Representative Reilly. 1397. Representative Reilly. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1397, has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Peters: "Excuse me. Representative Reilly? Yes, Representative Reilly?"

Reilly: "Could we take this out of the record for the moment until I get a chance to find out where we are?"

Speaker Peters: "Fine. Out of the record. The other Members who have Bills on Second Reading, we will be at ease for a couple of minutes. Let's find out where we're at and let

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us attempt to, as judiciously as possible, conclude this business so we could adjourn at a reasonable hour this evening. Ready now? Representative Reilly? Senate Bill 1397, Representative Reilly."

Clerk Leone: "Senate Bill 1397 has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "Amendment #2 lost in Committee. The next Amendment is Amendment #3, Matijevich - Terzich, amends Senate Bill 1397, as amended."

Speaker Peters: "Representative Matijevich, Amendment #3."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 to Senate Bill 1379 (sic, Senate Bill 1397) is the 70% pay out level on the retirement system. I move for the adoption of Amendment #3."

Speaker Peters: "Any discussion? Representative Reilly, discussion? Representative...Go ahead. Well, you..Go ahead.."

Reilly: "In the absence of any..any kind of organization on this side of the aisle, there's no discussion."

Speaker Peters: "Representative John Dunn? On this Amendment?"

Dunn, John: "No, Mr. Speaker, on a point of personal privilege. Just very briefly, Mr. Speaker, it has been called to my attention that there is a state trooper on the floor of this House. And it is my understanding that he is armed. And I realize that we may have some security problems, but I feel very strongly about the need for an armed guard on the floor of the House. And I wish to record my strenuous objection to having officers of the law armed on the floor of this House."

Speaker Peters: "On the...on the Amendment. Representative



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Matijevich? Any discussion? Being none, the question is, 'Shall Amendment #3...'...Pardon? Representative Reilly? He's not...Now, wait a minute. Now, we are..we are going to attempt to get out of here as soon as we can. But people put lights on, I call them, the lights go off, on and off. Now, I don't want to be blamed for not calling on somebody now. All right? Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I oppose the Amendment. The basic...One of the basic decisions that we have to make as we wind this Session down on appropriations, this particular Amendment amounts to very little. But on every, single Bill we're going to be dealing with the same question. And that is, whether we are going to fund retirement at 62% of pay out or 70% or some compromise level. If you want to support the level of appropriation that the Bills came out of Committee - and everyone in this House at one time or another has given a speech about how they ought to be even higher in almost every area - then we have to accept some level less than 70%. Now, I cannot match my friend, Representative Matijevich, in terms of emotion on this issue, and it is a validly emotional issue. I do not criticize him for that. I just can't match him on that point. But the fact is that before we leave here, we are either going to have to whack about 40 million dollars more out of everything else, school aid, higher education, mental health, every other area, or we're going to have to reach some figure less than 70% of retirement. If anybody cares to deny that, I'll be glad to debate them on that point. We must defeat this Amendment and the whole line of other Amendments like it. And I hope that we have an effort to do that. And I oppose the Amendment."

Speaker Peters: "The question...Repre..Representative Matijevich, do you want to close? Excuse me. On the Amendment,

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Representative Hoffman?"

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I've refrained from speaking on this issue, specifically or generally. But let me ...Let me just speak to this Amendment, and at the same time, talk about the issue that Representative Reilly and others have brought to our attention. There is in most of these pension systems no need to fund these systems out of 70% of the pay out level for this year. The Downstate Teachers' Retirement System, of which I am a participant, as a school teacher, is funded at 53%. When I came to this Legislature it was at 28%. That system will not suffer if we fund it at the level that the Joint Finance Subcommittee recommended at 62 and 1/2%. The fact of the matter is the pension system will not suffer at that level. But if we don't cut the funding level of these pay outs for these systems, people are going to suffer this year; they're going to suffer next year and we are making, in my judgment, a mistake by being unwilling to accept a pay out level at less than the 70%. I believe the systems can well stand it. I do not believe it will be harmful to any of the beneficiaries of the system. And, that if we don't do it, it will be harmful to a lot of other people. And so I would oppose this Amendment because I am certain that when push comes to shove we are not going to put anyone in a position of cutting millions of additional dollars out of an already ...an already too limited budget for school aid and a lot of other very important services."

Speaker Peters: "Further discussion? Representative Wolf."

Wolf: "Thank you, Mr. Speaker. Those of you who have served with me during the 14 years that I've been here know that my position on pension funding has always been a strong one. Let me point out, Ladies and Gentlemen, what the Gentleman

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who spoke earlier did. The amount of dollars in this is very small. However..."

Speaker Peters: "Excuse me, Representative Wolf. Representative Hallstrom, for what purpose do you seek recognition? Oh, okay. Proceed, Sir."

Wolf: "However, I would like to point out that this Amendment and a number of other Amendments dealing with the same subject total appro..."

Speaker Peters: "Representative Wolf, excuse me, Sir. Can we please take the conferences in the aisle to the...at least to the rear? It is difficult to hear, to see. Proceed, Sir."

Wolf: "Thank you, Mr. Speaker. I was trying to point out to the Members of this Assembly that the collective difference between a 62 and 1/2 to a 70% of funding level is about 40 million dollars, 40 million dollars. Given the fiscal condition of the state this year, I think we have to make a choice along the way somewhere what our priorities are going to be. Now, I had someone from the University professors talk to me the other day saying, 'Gee, I wish we could get this level of funding up back to 70%. The Senate has reduced it to 62 and 1/2'. I replied to that Gentleman, 'I thought you were interested in getting a small salary increase, a four percent salary increase. If that, in fact, is your priority, that you would rather have the 70% level, we can correct that action on the floor. We can remove your salary increase and go to the different level of pension funding'. He said, 'Can't we have both?'. And I said, 'It doesn't look like it is possible this year. This is a 40 million dollar item across the board'. That money would be necessary if we want to hold up the level that we have funded education. We have gone some 60 million dollars over the Governor's proposed budget in

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secondary, elementary and secondary and higher education. And if that is the priority that we're setting forth, what I'm saying is we can't have our cake and eat it too. I think it is premature, especially that there are some negotiations possibly going on between the Senate and the House Leadership, and also at the Appropriations Committees, Chairman and Minority Spokesmen, that we're trying to iron out something where we can come out with a reasonably balanced budget and that this House of Representatives can leave by the end of the Session and go back to our districts and say that we have, in fact, balanced the budget. The alternative to that is to have the Governor then come out with his press releases saying that we shirked our responsibility, that we, in fact, left him holding the bag, that we sent him several hundred million dollars over the budget and asked him to do the veto pin job on those particular Bills. This is a very serious question, Mr. Speaker, Members of the House, and I'm sorry that more people aren't listening. Because this small amount and the other Amendments to follow are 40 million dollar items. Now, you have voted for a number of issues that you felt were near and dear to your heart. You felt that increasing the education level of funding was an important issue, and that it was, in fact, a priority of this General Assembly. And if that is our priority, then we must follow through and be able to provide the funds to pay for that education level funding if that is what our priority is. And we have expressed that by our votes earlier this year. I would ask at this time seriously that Members on both sides of the aisle do not support this Amendment and others like it in the interests of hopefully balancing a budget and keeping our priorities where they should be."

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Speaker Peters: "Representative Kosinski."

Kosinski: "Mr. Speaker, in hopes of moving out of this House, I move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Matijevich to close."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Amendment #3 only refers to one line item with regards to moving this up to 70% of the pay out level on the retirement. It only refers to the Office of the Director of the Department of Aging, so the amount is \$1800.00 and what it does is make this uniform with the ...the entire Bill with regards to the 70%. In other words, if we don't adopt this Bill (sic, Amendment), you have some line items at 70% and this line item at 62.5%. In the interests of uniformity alone, I would hope that the Members would want to adopt Amendment #3. I realize that this issue has not yet been finally decided. At this juncture the House is postured for the 70%. The Senate is postured for the 62.5. We don't know yet how it's going to end up. But in the interests of uniformity, I would hope that you adopt Amendment #3 and I therefore, move its adoption, and ask for a Roll Call."

Speaker Peters: "The question is, 'Shall Amendment #3 to Senate Bill 13...'...You said, Roll Call, Representative? The question is, 'Shall Amendment #3 to Senate Bill 1397 be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 89 'ayes', 76 'nay'. Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I request a Poll of the

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Absentees, and if that would have to fail, I request a verification of the Affirmative Vote."

Speaker Peters: "The Gentleman is within his rights. Poll the absentees."

Clerk Leone: "Poll of the Absentees: Abramson. Capparelli. Deuster. Epton. Findley. Giglio. Dick Kelly. Lechowicz. Martire. Sandquist. Terzich. Yourell."

Speaker Peters: "Representative Huskey from 'aye' to 'no'. Representative Macdonald from 'aye' to 'no'. Representative Deuster, 'no'. Representative Nelson from 'aye' to 'no'. Got that, Mr. Clerk? Representative Bianco from 'aye' to 'no'. Who? Representative Topinka from 'aye' to 'no'. Representative Sandquist from not voting to 'no'. Representative Koehler from 'aye' to 'no'. Representative Margalus from 'aye' to 'no'. Representative Yourell? Representative Yourell, 'no'. From not voting to 'no'. Representative Slape? Representative Slape from 'aye' to 'no'. Okay? Representative Rea, no? Rea? We are now at 81...What's the count, Mr. Clerk? Eighty-one 'aye', 87 'nay'. The Amendment fails. Any further Amendments?"

Clerk Leone: "Amendment #..."

Speaker Peters: "Represen....Excuse me. Representative Mulcahey, for what purpose do you arise? Mulcahey."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. I'd just like to make a point that I think might be kind of interesting to the Membership. You indicated that we're going to move the Bills on Second Reading to Third before we adjourn. There's only ten Bills on Second Reading. But if you look at them, you'll find out there are 77 Amendments, and if we spend three minutes on each Amendment, it's just a little under four hours. So I thought that might be kind of interesting for all of us to

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know."

Speaker Peters: "Your...Your...your point is well taken, Representative Mulcahey. Thank you, Sir. Further Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #4, Matijeovich, amends Senate Bill 1397, as amended."

Speaker Peters: "Representative Matijeovich, Amendment #4."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #4 to Senate Bill 1397 proposes to restructure the Department of Aging's client assessment method currently utilized by the Community Care Program. In the past, in the processing of applications or assessments, these were conducted by vendors which represented a conflict of interest because they also supply the services to the same persons under the Community Care Program. This Amendment proposes that funding be provided to the Area Agencies on Aging rather than those vendors. The funding is tentatively proposed through this Amendment by transfer of \$170,700. Already in this budget, a plan on paying to service vendors for these assessment applications, and an estimated \$517,000 generated under a House Bill. I would move for the adoption of Amendment #4."

Speaker Peters: "Discussion? Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, I would like to ask the Sponsor a couple of questions first before I address this Bill. Will he yield?"

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

Oblinger: "The \$170,000 plus is coming from what fund?"

Matijeovich: "GRF."

Oblinger: "From what program?"

Matijeovich: "I believe that's the program now where the..in the appropriation it pays vendors for the assessment applications under the Community Care Program."

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Oblinger: "Secondly, the \$517,000 is coming from what source?"

Matijevich: "House Bill 1120, which has passed both Houses and is on the way to the Governor. That was the Bill that Lee Preston had."

Oblinger: "Mr. Speaker, may I address the Bill?"

Matijevich: "Why not?"

Oblinger: "Okay, Mr. Speaker and Members of the House, when 969 three years ago was passed, it was passed for the Community Care In-Home Service Program. That program has been working rather effectively until now, when all of a sudden we have a court case which says we are going to have to take on an additional number, at least of 3700. It's going to become an entitlement program, and what are we doing? We're going to take \$170,000 out of the program when we need more money. The second amount of money that's being appropriated here, \$517,000, is what is anticipated if the Governor signs House Bill 1120. But I want you to know that House Bill 2147 also will be before the Governor. Neither of them can be anticipated how much money it's going to generate so we're adding a half a million dollars here from a source that we're not even sure of. I resent the fact that \$170,000 is being taken away from all of us old people who need in-home services. And I would urge the defeat of Amendment #4."

Speaker Peters: "Any further discussion? Representative Reilly."

Reilly: "Just briefly, Mr. Speaker. The Lady is absolutely right. There is no reason at all - and I am happy to be a Sponsor of 2147, which basically is along the same lines as 1120 - there's no way at all to estimate how much money is going to come from that. We can't afford to take \$170,000 away from the grant line. But on the other side of it, the Department is, in fact, in negotiations with the area agencies trying to figure out the best way to get this



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program done. The area agencies among themselves are not in agreement, and I would not want to prejudge how that's going to come out. What I can tell you is, if it comes out in such a way that the area agencies are going to do it, the Department and the area agencies concur that'll cost between two and ten million dollars, not anything like the amount of money, fictitious as it is, that's in this Amendment. So I would urge 'no' votes on this Amendment."

Speaker Peters: "Further discussion? Representative Matijevich to close."

Matijevich: "Only in response to what Representative Oblinger said, we don't in any way do damage to the line item under the program at all. All we are doing is, by the adoption of this Amendment, is structuring a change in..in allowing the Area Agencies on Aging being those who do the assessment, applications, if you will, as they had done before, I believe, in 1980 when we instituted the program and since then, that's when we've run into the problems of the conflict of interest by those vendors who provide the services. I think it makes sense. I think it's better for those persons who gain some value from the program. I, therefore, move its adoption."

Speaker Peters: "The question is, 'Shall Amendment #4 to Senate Bill 1397 pass ?'. Those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'nos' have it, and the Amendment's lost. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. Senate Bill 1406, Representative Bower. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1406, a Bill for an...has been read a second time previously. Amendments #1, 2, 3 and 5 were adopted in Committee."

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Speaker Peters: "Any Motions with respect to the aforementioned Amendments?"

Clerk Leone: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #6, J. J. Wolf - et al, amends Senate Bill 1406, as amended."

Speaker Peters: "Representative J. J. Wolf - et al, Amendment #6. Et al, Representative Bower. Et al, Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment adds \$190,000 from the Public Utilities Fund to the Energy and Natural Resources to fund a study of chemical...biological control affecting chemical spraying to control outbreaks of gypsy moths. This is a bipartisan Amendment. I know of no opposition to it."

Speaker Peters: "Any discussion? Representative Schneider?"

Schneider: "Thank you, Mr. Speaker. I am a Chief Cosponsor along with Representatives Bower and Wolf and Daniels, I think. This is a timely Amendment. Regrettably it's a year late. The mismanagement within the agency by certain division leader, Ag industry, has created a crisis in the state, and I can understand why this Amendment is trying to patch over a chasm of popular opinion that's raging against the Department. But I would say this. It is certainly a worthy Amendment. It does make a direct effort to do what the rules and regs...or.. the description, rather, that was provided to me by E and R is correct. It deals with an effort to develop alternatives to chemical spray. That means a bacterial spray is far, far less hazardous. Directs its ways of eliminating the epidemic or the eradication to nonchemical methods, and I think that's probably where we should have been five or ten years ago. But it took that outrage from the public to make the change. I certainly want to compliment E and R for picking

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it up. I think it's 190 grand. We could certainly use ten of those thousand dollars in McHenry and Lake and DuPage to prevent the use of carbonyl, but it's here. Maybe somewhere along the line the Department of Ag will catch on. Right now, E and R is doing the job, and I think we ought to endorse this Amendment. Remember, it's \$190,000. I hope we can get that information on the sprays made available by next spring. Thank you."

Speaker Peters: "Further discussion? Representative Winchester."

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

Speaker Peters: "He indicates he will."

Winchester: "Representative Bower, I know that this is an agreed to Amendment, and I support it. But I'm just curious as to why we're...we're putting this Amendment on to Energy and Natural Resources instead of the Department of Agriculture's appropriation Bill?"

Bower: "Representative Winchester, the natural history survey will coordinate and conduct the study. This is an area that they are expert in."

Winchester: "Okay. All right."

Speaker Peters: "The question is, 'Shall Amendment #6 to Senate Bill 1406 be adopted?'. Those in favor will signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment's adopted. Further Amendments?"

Clerk Leone: "Amendment #7, Currie - Matijevich, amends Senate Bill 1406 as amended."

Speaker Peters: "Who? Pardon? Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. Every year since 1978 this state has made a commitment to the not-for-profit public museums, zoos and other like institutions in the state, a minimal financial commitment, 1.5 million dollars, a million and a half dollars to

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express our symbolic commitment to the values of culture and history these museums support, a symbolic commitment that is important in helping those institutions to encourage private givers to help fund their enterprises, a commitment that is quite appropriate since each of these institutions serves educational values free for school children from all over the state, and a commitment that reaps financial returns for ourselves, since among these museums are many that attract tourists not just from one part of the state to another, but tourists from all over the country and from other parts of the world. One of them, the Art Institute of Chicago, finds that about a third of the people who visited each year come from out of the State of Illinois. This million and a half dollars was cut from this appropriations Bill in House Committee. It is, as I say, a small commitment, but it is an important one for us to retain, important for those institutions that presently serve these educational values and presently serve school children from everywhere, and important for us as a state to maintain a commitment to the values of culture and history that they serve. A million and a half isn't very much money. If this appropriation were cut proportionally to the way other budgets are being cut, that might be fair, but that wasn't the proposal. The proposal in the House Appropriations Committee was to take the money out altogether. Amendment #7 would restore the million and a half dollars to Senate Bill 1406, dollars that would be shared among the 27 not-for-profit public museums, history museums, natural history museums, zoos, aquariums, planetariums that are sprinkled all over the State of Illinois. I urge your support for Amendment 7."

Speaker Peters: "Any discussion? Representative John Dunn."

Dunn: "Thank you, Mr. Speaker. I rise in support of this

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Amendment. I think its important for downstaters to consider giving support to this Amendment, because this Amendment is very necessary. The funding for this purpose has been omitted from the Governor's budget this year and leaves a gap that is sorely needed for funding in the State of Illinois. Any of us who grew up in the State of Illinois and many of us who did not, particularly those of us who grew up outside the City of Chicago, know what a pleasant thing it was to look forward to a trip to Chicago, perhaps to attend a ball game and also to go to the various museums: the aquarium, the planetarium, the natural history museum and the Museum of Science and Industry. These are statewide assets. They are treasures belonging to all the people of the State of Illinois, and those of us who are downstate take advantage of them as well as those who live at home in the Chicago area. We should all band together to support this. We talk about making Illinois an attractive place for others to come to to live, and to work and to enjoy recreation. We have many, many outstanding things in the State of Illinois to attract others and to make the quality of life desirable for our citizens. Our museums are certainly one of these prized assets. Let's don't, in these difficult times destroy what has taken so long to create, one of the best museum systems in the United States of America. I urge your support for this Amendment."

Speaker Peters: "Further discussion? Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I oppose Amendment #7. Representative Currie indicated that this was deleted by the House Appropriations Committee. That is correct, but it was a million and a half dollars that was added by the Senate. This money is not in the Governor's budget in tight fiscal times when

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we're cutting in education, cutting in mental health, cutting in other programs. We cannot afford the luxury of that million and a half dollars for the museum. I think something you have to bear in mind is that this only represents approximately two percent of the operating costs of any of the museums that are going to receive the money under the formula. It is only two percent. It is something that we cannot afford, and I urge a 'no' vote."

Speaker Peters: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I don't think that we really ought to look at Amendment #7 as either a partisan issue or an upstate/downstate issue. I think Mr. Dunn should be highly complimented. The issues that he addressed in Amendment #7 were exactly accurate. Amendment #7 for \$1,500,000 for grants for operating expenses for public museums is a very important item, not only for all of Illinois, but also for tourism. It generates money. So this million and a half dollars is an investment for the State of Illinois to make money for us. Plus, it's a commitment that we have to the arts that I think we should have. Ladies and Gentlemen, the House spoke very solemnly on the Illinois Arts Council. I hope again we speak solemnly on Amendment #7 and vote 'aye', please."

Speaker Peters: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Amendment #7. Letting...keeping our museums from going to wrack and ruin is hardly a luxury for the State of Illinois. We have an obligation, it seems to me, to keep these fine institutions functioning, providing the kind of services that they provide to all the citizens of this state. This appropriation is the only appropriation that we have

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anywhere in this budget that will aid the museums and help them keep together, particularly their physical plants, and I encourage an 'aye' vote."

Speaker Peters: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker, Members of the House. I would also join in opposition to the adoption of Amendment #7. It is a million and a half dollars of General Revenue Funds of unbudgeted dollars which would go in the main for the Chicago museums. Now having been born and reared in the City of Chicago, I know the fine museums that we have there. But as Mr. Bower pointed out, this is only about two percent or less of their total operating budget. Whenever we have state agencies come before the Appropriations Committee, and they talk about what they can do and how much money they need, and with the cuts that we have made to the various state agencies this year, I don't think there's an administrator worth his salt that can't take a two percent cut. And if it's going to necessitate an increase of 10 or 15% in admission charges to offset this, then I say in these difficult times, that's what's going to have to be done. I would urge Republicans and Democrats alike to oppose this Amendment which would add a million and a half dollars in unbudgeted money to an already strained budget."

Speaker Peters: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I've heard a lot said about the State Mandates Act. Many of you have talked about state mandates. Now, let us consider this, for example: Are you aware that by state law, by state statute - I have right here what happens at Brookfield Zoo - by state statute, we mandate that they permit school children...school children to attend free at the zoo, free. What this means that...pre...and also that

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the public be admitted free one day. What this means that free admissions were 672,500 plus or almost 40% of attendance in 1981. Now, Jake Wolf just talked about two percent of the operating budget, yet almost 40% of their attendance by state statute are free admissions. And I think the state has an obligation in that regard. One more thing, there was a recent survey at Brookfield Zoo, and 30% of the visitors who were from Illinois were outside of Cook County, downstaters who were going to the zoo. Also within that same survey, 30% were out of the State of Illinois. They have conservatively estimated that the attendance at that zoo - that's only one - at that zoo contributes \$15,000,000 in the economy for the State of Illinois. Now, I think that the state ought to have some obligation when that much of our economy is generated by a public museum. I remember reading something from the Department of Illinois Commerce and Community Affairs about how much the museums all over the State of Illinois contribute to the economy. I don't think in one breath we should say that they do good for the economy, then in the second breath say Illinois should not have some obligation. It is a very small obligation when you consider their total operating budget. As long as we have that state mandate in the Constitution also, I think we ought to pay some little, very little, share. And therefore, I urge the adoption of this Amendment. It really makes sense."

Speaker Daniels: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, I just want to make a very brief comment, and I would like you all to listen very carefully. I sat down before this Session began on the appropriation Bills, and I set up my priorities. This was one of them. But the other day, you spent all my priority money for Judges' salaries, and that



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must have been your priority, so now I'm denied that right to use my priority money."

Speaker Peters: "Representative Kosinski."

Kosinski: "Mr. Speaker, please move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Matijevich to close. Who's closing? Representative Currie. I'm sorry, Sir...Ma'am...Sir."

Currie: "Two percent of their operating budget isn't a lot. In fact, it's a very small commitment for this state to provide for these museums which are providing educational services to all of the children in the State of Illinois, educational services for free, educational services we require them to perform and to provide. When the King Tut exhibit was held in the City of Chicago, 30,000,000 people came to see it, 30,000,000 people, each of them spending approximately \$200 apiece. \$200 to increase the revenues of the hotel keepers, of the taxicab drivers, and of the state revenue coffers. Sales tax collections are involved in this Amendment. If we're talking about spending a million and a half, we're probably talking about an investment that will reap \$80,000,000 in return for the people who do business and for the people who are involved in collecting revenue for the State of Illinois. 27 museums are involved. They are by no means all in the County of Cook, museums in Kankakee, in Jo Daviess Counties, in the City of Peoria. This is a nonpartisan Amendment. Somebody opposing the Amendment made that point, and I think it is a critically important point to make. When I go to the Art Institute of Chicago, I see a lot of Republicans. In my district we have the Museum of

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Science and Industry. My guess is practically the only time Republicans come to my district is when they're paying a visit to my Museum of Science and Industry. We have a responsibility to maintain a commitment to the cultural, educational and historical values that these museums all over the state represent. A million and a half dollars, that's what it was in 1978. In 1982 dollars, even this amount represents a commitment that is waning. For us to reject Amendment 7 to Senate Bill 1406 is to say to our constituents when they go to museums that they will be paying high user fees. When your people come back from the City, having visited the Art Institute and finding that the admission fee isn't 10 or 15¢ higher, as Jake Wolf suggests, but in fact is two, three or five dollars, they come back to you and say, 'I can't afford to visit Chicago', the answer you'll have to tell them is because I wasn't prepared to recognize my responsibility in a nonpartisan, statewide, responsible fashion and fund the museum program. I urge your support for Amendment 7 to Senate Bill 1406."

Speaker Peters: "The ques...the question is, 'Shall Amendment #7 to Senate Bill 1406 be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Representative Vinson to explain his vote."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor of the Amendment suggested that when she goes to museums in Chicago, she sees a lot of Republicans there. Everybody knows that Republicans are selfish, wealthy people, and those museums can gladly charge us a fee, and there won't be any problem in needing a state subsidy."

Speaker Peters: "Representative Winchester to explain his vote."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of

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the House. I don't have any art institutes in Rosiclare or any science and industry museums in Rosiclare, but I have school districts in Southern Illinois that's going to be losing a lot of money, because the Chicago Leadership refuses to support a hold harmless provision on the corporate personal replacement tax which is going to cause some of our schools to lose a considerable amount of dollars. I don't see any reason why I should support 1.5 million for Chicago when they're going to cause my district to lose about a million dollars in educational dollars."

Speaker Peters: "Representative Fawell to explain her vote."

Fawell: "Thank you, Mr. Speaker. You know, I was planning originally on voting for this Amendment, because I do enjoy the museums in Chicago. However, I have just asked Representative Vinson what happened to that nineteen and a half million dollar cigarette tax that the Chicago Board managed to collect from the entire state, and I have been informed that the Senate has killed that Bill. Therefore, Chicago is collecting already nineteen and a half million dollars which, as far as I'm concerned, doesn't belong to them. I would suggest to Chicago, you take part of our money that we give you in that tax and take care of the museums out of that."

Speaker Peters: "Representative Robbins to explain his vote."

Robbins: "Mr. Speaker and Ladies and Gentlemen of the House, the one thing that interests me on this is, I don't know where the money's coming from. When you farm, you have to try to have an idea where your money's going to come from to pay your bills. I would suggest that if this comes out like that that we should just simply say in another Amendment to this Bill that we will ask a fee equal to what we are appropriating to operate these museums in fine stead instead of operating them the way they are. And since this

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is such a good Bill, I think I'll change my vote from 'no' to 'aye' and have...so we have good museums."

Speaker Peters: "Representative Bower to explain his vote."

Bower: "Mr. Speaker, if...Mr. Speaker, if this Amendment receives a Majority vote, I will seek to verify the affirmative vote."

Speaker Peters: "On this question there are 90...Have all voted who wish? Take the record. Now, there are 99 voting 'aye', 69 voting 'nay'. Representative Bower, what is your pleasure?"

Bower: "We wish to verify."

Speaker Peters: "Pardon?"

Bower: "We wish to verify."

Speaker Peters: "The Gentleman asks to verify the Roll Call. Representative Johnson. Johnson, 'no'. Representative Christensen, what purpose...."

Christensen: "How am I recorded?"

Speaker Peters: "How is the Gentleman recorded?"

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

Christensen: "That's what I wanted. Thank you."

Speaker Peters: "No, verification. Poll of the Affirmative Vote."

Clerk O'Brien: "Poll of the Affirmative. Alexander..."

Speaker Peters: "Excuse me."

Clerk O'Brien: "Balanoff..."

Speaker Peters: "Wait a minute. Wait a minute. Representative Sandquist asks leave to be verified. Representative Bower. Leave is granted. That's one vote less for the next one. Go ahead... Anyone else? Representative Christensen asks leave to be verified. Representative Bower, okay?"

Bower: "Why don't all of them that want to be verified raise their hand. We'll decide if we're going to do it that way or not. I would say 'no'."

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Speaker Peters: "The Gentleman says 'no'. Proceed, Sir.  
Sandquist and Christensen are verified. Go ahead."

Clerk O'Brien: "Balanoff, Barkhausen..."

Speaker Peters: "He said no."

Clerk O'Brien: "Barnes, Barr, Beatty, Birkinbine, Boucek, Bowman, Bradley, Braun, Breslin, Bullock, Carey, Catania, Chapman, Christensen, Cullerton, Currie, Deuchler, Deuster, DiPrima, Domico, Donovan, Doyle, John Dunn, Ewell, Farley, Findley, Flinn, Virginia Frederick, Garmisa, Getty, Giglio, Giorgi, Greiman, Hallstrom, Hanahan, Hannig, Henry, Huff, Jackson, Jaffe, Jones, Kane, Katz, Keane, Dick Kelly, Kornowicz, Kosinski, Krska, Kulas, Laurino, Leon, Leverenz, Levin, Loftus, Madigan, Matijevich, Mautino, McClain, McGrew, McPike, Mulcahey, Murphy, Oblinger, O'Brien, O'Connell, Ozella, Pechous, Pierce, Pouncey, Preston, Rea, Rhen, Richmond, Robbins, Ronan, Saltsman, Sandquist, Satterthwaite, Schneider, Schraeder, Slape, Margaret Smith, Stanley, Steczo, Stewart, Stuffle, Topinka, Turner, Van Duynes, Vitek, White, Sam Wolf, Woodyard, Younge, Yourell and Zito."

Speaker Peters: "Representative Kustra."

Kustra: "Mr. Speaker, I was off the floor when this vote was taken. Change my vote to 'aye'."

Speaker Peters: "Representative Kustra from 'no' to 'aye'. What is the count, Mr. Clerk? 100 voting 'aye', 69 voting 'nay'. Representative Bower."

Bower: "Representative Laurino."

Speaker Peters: "Laurino is in his seat."

Bower: "Representative Yourell."

Speaker Peters: "Representative Yourell is in the aisle."

Bower: "I withdraw the verification."

Speaker Peters: "On this question there are 98 voting 'aye', 69 voting 'nay', and the Amendment is adopted. Further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Representative Daniels in the Chair."

Speaker Daniels: "Senate Bill 1414, Second Reading of the Bill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1414, a Bill for an Act making appropriation to the ordinary and contingent expense of the Department of Law Enforcement. Second Reading of the Bill. Amendments #1, 2, 3, 4 and 5 were adopted in Committee."

Speaker Daniels: "Any Motions filed with respect to Amendments #1, 2, 3, 4 and 5?"

Clerk O'Brien: "No Motions filed."

Speaker Daniels: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #6 lost in Committee. Floor Amendment #7, Vinson."

Speaker Daniels: "Representative Vinson, Amendment #7."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #7 simply specifies the way in which the money will be spent from the Road Fund and the General Revenue Fund with regard to the State Police. It does not violate the statutory provision that has previously been enacted into law. What it does do is that it implements that statutory provision by saying that the money can be drawn simultaneously from both Funds in the fashion that was intended by the statutory provision. Otherwise, we would have to draw it out entirely from the General Revenue Fund initially and then reimburse the General Revenue Fund from the Road Fund which was not, I do not believe, the intention or the literal reading of the statute. This does not do what we attempted to do earlier in the sense of somehow implicitly repealing the earlier statute. It does simply operationalize it, and I would urge an 'aye' vote."

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Speaker Daniels: "Any discussion? There being none, the Gentleman moves the adoption...Representative Matijevich with Buzbee on his collar."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, if we vote for this Amendment, we are, in effect, violating the law that Governor Thompson himself had supported when we passed the '79 road package, the so-called Thompson-Byrne road package. As you remember the carrot that was provided for downstaters was the anti-diversion Amendment, and we passed in that year Public Act 81-0003 stating that the diversion of funds from the Road Fund for administration grants or operations must be phased out. In that Act, we, by FY '83, would state in our appropriation Bills that the State Police's operations budget could contain only 40% of Road Fund dollars. Now, when the Department introduced their appropriation Bill, they had drafted it to be in conformance with the state law. What happened was that they have since tried to change the law. The Senate, by Amendment, made it in conformance to make sure that the mandated 60-40 split was in order. Now when we were in Committee, both in Committees in the Senate and the House, we spoke to the issue of getting an Attorney General's opinion, and I understand the Senate formally asked Attorney General Ty Fahner, the same guy who asked so many of us about...through the...through the media that we are the ones that ought to be strong on drug enforcement, etcetera. The same guy who, evidently, doesn't want to follow the law himself, or at least not give us an opinion. This Amendment was drafted by the Bureau of the Budget, and I understand without even the Department's knowledge to strike the Senate's language and put the Bill in this type of numerical Section so that what the Department could do, could spend all of its road fund dollars prior to any

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General Revenue Fund to ease the GRF cash flow problem. What this means then is that they could, in effect, circumvent the law. I would hope that downstaters understand what this issue is. I think we are all aware that the...Governor Thompson cannot balance his budget if he doesn't divert road funds out of the Department of Law Enforcement. I think what we are saying is that the Governor himself is trying to violate his own law. It was his recommendation. So, you know, I'm not a downstater. This is the issue that so many of you get so red about, and I've seen you on the floor of the House holler about it. If you want to be for road diversions, then you can support this Amendment. I don't think that's what you want to be, and I would urge the defeat of Amendment #7."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Wolf."

Wolf: "Well, Mr. Speaker, this Amendment does not violate the letter of the law or the intent of the law in the state statute. This merely is a break out where the funds can be used simultaneously. It is necessary for the orderly operation of State Government. Unless you want to disrupt that orderly thing, which I believe is the intention of some people on the other side of the aisle, then you ought to not support the Gentleman in his Motion. But it is a good Amendment. It is necessary for the orderly operation of State Government. It does not, I repeat, it does not violate the law or the intent of the law. It is a good Amendment and one which should be adopted."

Speaker Daniels: "Further discussion? The Gentleman from Stephenson, Representative Rigney."

Rigney: "Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Rigney: "Representative Vinson, I want to fully understand what



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you're attempting to do here with this Amendment, because I do have quite a bit of interest and sponsored the Amendment under the DOT budget. At the present time, statutory law says that 60% of the funds this year must be taken from the General Revenue Fund, the remaining 40% from the Road Fund. Is that what is still going to be provided for under your Amendment?"

Vinson: "Yes, Representative Rigney, that is exactly what is provided for under my Amendment, and if I might elaborate on this so you fully understand the issue that's being discussed. The Senate, in the formulation in which they passed the Bill, on page one lines 27 and 28...on 26, I'm sorry. On 26, they had a figure, a total dollar figure. On 27 and 28, they said 40% of that was payable from the Road Fund and 60% of that was payable from the General Revenue Fund. Now, what we seek to do is to set out two columns of figures: a column appropriated from the General Revenue Fund, and a column appropriated from the Road Fund. The Road Fund is 40%, represents 40% of that total figure. The General Revenue Fund represents 60% of that figure. The reason we seek to do that is because there is another law on the books that nobody'd ever bothered to look at before, too, Section 144.4 (a) of the finan...of Chapter 127. What that does is to detail the requirements on what the Comptroller and the Finance Department have to do when an appropriation Bill specifies that money will be spent from two different funds. If it specifies it in the way that the Senate specified it, what has to happen is that all the money has to be spent first from the General Revenue Fund, and then the proportion that legally can be reimbursed from the Road Fund to the General Revenue Fund is then taken and reimbursed to the General Revenue Fund. On the other hand, if the statute is set out...if the

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appropriation Bill is set out in the way we seek to do it, then with each...with each voucher, with each payroll, 60% of it can come from the one fund, be spent from that, and 40% of it can simultaneously be spent from the other fund. We are just seeking to avoid creating a cash flow problem in the General Fund, but we fully comply with the statute that you were talking about in that we are not trying to spend a higher percentage of Road Fund money than is permissible under that statute."

Rigney: "Well, Mr. Speaker, inasmuch as we are protecting the \$38,000,000 for the Road Fund, I support the Amendment."

Speaker Daniels: "Further discussion? The Gentleman from Macon, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, lauditory as the purpose may be with regard to this Amendment, I rise in opposition to the Amendment, because, as I understand the wording of the Amendment, it will be possible under this Amendment to first spend down all of the money that is to be taken from the Road Fund and only then, after all the Road Fund money is spent, to dip into General Revenue. And while in a good year, this may not be a significant item at this time when Road Fund money is precious and when cash flow is the name of the game. If the statute provides, and if there ought to be a provision so that both funds are dipped into simultaneously, and so that the statute we passed in 1979 is complied with, we should not permit 100% draw down of funds available from the Road Fund before the General Revenue Fund is touched. Road Fund purpose monies were provided in the first place for construction of roads and only incidentally for law enforcement purposes. So, we should defeat this Amendment and follow the structure of the law that is in place now, and this will serve the taxpayers, the Road Fund and the

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Department of Law Enforcement for the very best of all the citizens. I urge a 'no' vote."

Speaker Daniels: "The Gentleman from Adams, Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, and Mr. Rigney in particular. Mr. Rigney, all of the explanation of your concerns over the Amendment were not entirely accurate. What Mr. Dunn just finished saying is exactly accurate. What will happen is the Road Fund dollars will be spent first and then general revenue dollars instead of simultaneously. The Act, the Public Act, that Mr. Vinson quoted you was the old language prior to 1979, Public Act that Mr. Dunn was referring to. So, for downstaters or anybody that's concerned about the Road Fund, this Amendment is not a good Amendment in order to protect the Road Fund. You should be voting 'no' if you're trying to protect the Road Fund and sticking with the Public Act of 1979, and I urge a 'no' vote."

Speaker Daniels: "Representative Huskey."

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

Speaker Daniels: "The Gentleman's moved the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye'. The 'ayes' have it. Representative Vinson to close."

Vinson: "I'd ask for a favorable Roll Call."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #7. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 75 'aye', 74 'no', one voting 'present'. The Amendment passes. Further Amendments?"

Clerk O'Brien: "Amendment #8, Terzich - Matijevich."

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Speaker Daniels: " Representative Terzich, Amendment #8.

Representative Terzich. Representative Wolf...Excuse me.

Representative Matijevich, what purpose do you rise, Sir?"

Matijevich: "Leave to withdraw Amendment #8."

Speaker Daniels: "Withdrawn. Further Amendments? Well, are you

a Sponsor of the Amendment, Sir? He is. Okay, withdrawn.

Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, Terzich - Matijevich."

Speaker Daniels: "Representative Matijevich, you going to handle

that one? Want to withdraw that?"

Matijevich: "Withdraw."

Speaker Daniels: "Withdrawn."

Matijevich: "Mr. Speaker."

Speaker Daniels: "Yeah."

Matijevich: "This one we're going with."

Speaker Daniels: "Okay, Amendment #9, Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #9 to Senate Bill 1414 adds \$404,800 to the nine divisions of the Department of Law Enforcement in funds to the retirement contributions to the 70% pay out level that we've heard so much commotion about, and I move for its adoption."

Speaker Daniels: "Any discussion? Representative Wolf."

Wolf: "Yes, Mr. Speaker, we had a similar type of an Amendment earlier which we defeated. I think it is equally as important that we defeat this one and all others like it. This is part of, again, the \$40,000,000 in general revenue dollars, and I'd just be happy for the same kind of vote that we had before. Maybe you could do it on an oral."

Speaker Daniels: "Representative Matijevich to close."

Matijevich: "All I'll do is ask for a Roll Call."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #9. All those in favor signify by voting 'aye',

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opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 70...67 'aye', 74 'nay', none voting 'present'. Amendment #9 fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #10, Matijevich."

Speaker Daniels: "Representative Matijevich."

Matijevich: "Mr. Speaker...Leave to withdraw 10, 11 and 12, I believe. Is that right? And 13. Leave to withdraw 10, 11, 12 and 13."

Speaker Daniels: "10, 11, 12, 13 are withdrawn. Further Amendments?"

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

Speaker Daniels: "Representative Vinson, Amendment #14."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #14 will restore funding for MEG's administration to the level in House Bill 2481, to Fiscal Year 1982 level. It corrects an error in Committee Amendment #4. The total increase is \$54,000....\$54,150, and I would ask for a favorable Roll Call."

Speaker Daniels: "Any discussion? If not, the Gentleman moves the adoption of Amendment #14. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. #14 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #15, Rea."

Speaker Daniels: "Representative Rea, Amendment #15."

Rea: "Thank you, Mr. Speaker and Members of the House. Amendment #15 restores the line items for administrative expenses and grants to the local metropolitan enforcement groups, the MEG groups. There's about eight of them in the state, and..."

Speaker Daniels: "Representative Vinson, for what purpose do you rise, Sir?"

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Vinson: "It's a good Amendment, and I accept it."

Speaker Daniels: "The Gentleman moves the adoption of Amendment #15. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. #15 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment 16, Van Duyne."

Speaker Daniels: "Representative Van Duyne, Amendment #16. Withdrawn? Withdrawn. 17."

Clerk O'Brien: "Amendment 17, Preston."

Speaker Daniels: "Representative Preston, Amendment #17."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #17 appropriates to the Department of Law Enforcement \$1,447,850 for time and a half overtime pay for the sworn State Police. Since...from July of 1981 through February of this year, the sworn officers, the State Police themselves, both detectives and troopers, have spent 167,000 hours of overtime. This is giving the authority to the Director of the Department of Law Enforcement, should he so desire, to pay them time and a half for overtime, and I solicit your 'aye' vote. This...oh, this affects some 2,100 sworn police officers."

Speaker Daniels: "Any discussion? Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In recent years, the state troopers have been consistent recipients of pay raises, pay increases. I believe they should be. As a matter of fact, as one of the Amendments in Committee, we added the necessary funds to bring their...to give them a pay increase of eight percent for this year, and I think that's appropriate. But at some point, we have to draw a line on how many benefits we can give away to any particular employee group. And point of fact, the only reason that they're looking for this is to try to continue bargaining, to use this as a lever to continue bargaining for the eight percent pay raise. Now,

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I personally am committed to the eight percent pay raise and do not intend to back off of that. They need not this lever to do that, and I would ask 'no' votes for that reason."

Speaker Daniels: "Further discussion? Representative Robbins."

Robbins: "Representative Preston, I have a question or two on this. Does...does this take care of these police that are...work their regular shift, and then they double over and have a quota of 10 or 12 tickets on that extra shift?"

Speaker Daniels: "Representative Preston."

Preston: "Representative, this covers State Police who are both uniformed personnel, being your state troopers, and detectives, MEG enforcement people, all of the 2,100 sworn State Police officers who work their regular shift, work their 40 hour shift and then are required to work additional time. For example, when I served in the Lieutenant Governor's Office, the Lieutenant Governor of Illinois' Office in 1977 - 78, the body guards who were assigned to security detail at that time worked an average of 80 overtime hours weekly, weekly, and yet they didn't get any overtime pay. They didn't get time and a half. Now, a carpenter, of course, who works for the state and works on Sundays gets double time. A plumber gets double time, but the State Police, a Department where there has never been a single scandal, who are looked to for the example of what law enforcement officers in Illinois should be, don't get double time. They don't get time and a half. They don't get anything. This is just to give them....this is to give them time and a half, but it is at the discretion of the Director of the Department of Law Enforcement. He need not do this if he doesn't desire to do this, but the money would be appropriated so that if, at his discretion, he sees fit to pay them time and a half as

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they well deserve, he may do so."

Robbins: "Then, is this money used to help set up the portable scales and move them around while...Do they pay extra time on them?"

Preston: "To move portable scales around, Representative?"

Robbins: "Yes, are you..."

Preston: "I think you're confused. This is not an agriculture Bill. This is a law enforcement Bill."

Robbins: "Oh, the law enforcement don't do that then."

Preston: "No, the law enforcement people don't move portable scales around."

Robbins: "I..."

Preston: "Excuse me. I'm told by Representative Darrow that they occasionally do move portable scales around. But when they do that on their own time or on time where they're required by the Department instead of being on their own time, they're required to be working over 40 hours a week, this would give them time and a half. As I mentioned, they've had 167,000 overtime hours from July through February."

Robbins: "I...I heard the...I heard the number of hours. I was just getting...trying to get an idea of what they did in those hours. I would also..."

Preston: "They're protecting your life, Representative. They're out there protecting your life. They're making sure that somebody speeding down the highway doesn't crack into you and kill you, or your children, or your wife or your neighbors. That's what they're doing. If somebody breaks into your home out in the farm area, they're available to protect you. That's what they're doing during those overtime hours."

Robbins: "I was...I was wondering. One of my fellow Representatives said that they would let me speed down the highway. They'd rather I'd get killed."



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Preston: "That's a guarantee, Representative. That's part of this Bill."

Robbins: "I...I was wondering also, since this..."

Speaker Daniels: "Excuse me. Excuse me. Can...Gentlemen...Gentlemen, let's not carry on a debate on an overall Bill, let's..."

Robbins: "Since this is law enforcement, are they using these overtime hours to build a firing range in my district?"

Preston: "I'm sorry, to build a firing range in your district?"

Robbins: "Yes, are they using these overtime hours to build a firing range in my district?"

Preston: "No, no, Representative Robbins. The Department of Law Enforcement, the sworn police personnel are not masons. They don't build firing ranges. They may be there fire...practicing on the firing range during their off duty hours, but they would not be paid time and a half for doing that. They wouldn't be paid anything for doing that."

Robbins: "I was trying to get an idea, because they are soliciting the private contractors to come in at their time off to build a range, and they are soliciting public donations, and I didn't know you could give a public donation to the Department of Law Enforcement. Is that correct?"

Preston: "Well, Representative, I don't understand your question. I don't understand why you are against police officers who are working for the state."

Robbins: "I am not against police officers that are working for the state. I am against police officers that are harrassing people and trying to cause more problems and that are not trying to tend to law enforcement. They are just trying to work their way up in the state so they can get more money."

Speaker Daniels: "Representative Stuffle."

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Stuffle: "Yes, Mr. Speaker and Members, I find that last speech somewhat ironic, because one of the problems we've had is not only been trying to get a raise over the years, which we've gotten on some occasions for these people. In some over gubernatorial vetoes, in the case of the pay raise sponsored by Representative Hanahan, myself and others on both sides some years ago, one of the problems has been the attempt to keep from giving decent remuneration to the guy that's out there on the highway as opposed to the guy that sits in the office. We've had a problem in the Department of Law Enforcement that some have tried to keep from coming to the fore, that those people who've worked all their lives in this system, there have been attempts to keep them from gaining, as Representative Robbins refers to their attempts to gain stature and status. They've been the guys behind the eight ball, not the brass. This particular Amendment puts over half, well over half of the money in the hands of those road troopers who do the nitty-gritty work of the State Police and law enforcement. We have had some gains, as Representative Vinson said, but the State Police have had to fight for every gain they've gotten. They've had to fight for every raise they've gotten. They don't get comp time anymore. They get straight time. They have to work whether they want to or not, and if they have a problem if they're working overtime to do some of the things you talked about, it is because they were put there by the same brass that's tried to deny them the ability to make a living wage. We have a lack of revenue, but this Bill doesn't ask for that much. We have a lot of problems in this state. The proposals of the Governor is to cut the number of people by cutting the classes from graduating in the State Police, to give them even more duties to do. If you're going to do that with the best

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State Police force in the state, you better start paying them for what they do, and we ought to put an 'aye' vote on the Board."

Speaker Daniels: "Further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "Mr. Speaker, Members of the House, there's very few privately negotiated union contracts that don't contain provisions for extra compensation for extra hours worked. As Representative Stuffle has pointed out so well, I think there is not a single branch of State Government that has been more universally praised or does a more superior job than our State Police. And it seems to me to be appropriate that when we're talking about something that simply allows them benefits equivalent, or not even equivalent in some cases, to what they get in the private sector, when they are putting their lives and their family security on the line every day for compensations significantly below what the risks and nature of that job would dictate, that this is a small step, a small effort to compensate these people, these men and women, for doing the fantastic job that they do for the people of Illinois, and I would urge a 'yes' vote on this Amendment."

Speaker Daniels: "Representative Kosinski."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, my people of the jewelry business get time and a half for overtime. I don't know of any industry that doesn't give time and a half. I've subscribed to this Amendment, and I ask for your vote."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Sponsor yield?"

Speaker Daniels: "Indicates he will."

Leverenz: "This is for the time and a half for sworn officers."

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Do you know the head count for those in Fiscal '82 and then also in Fiscal '83, the year we're appropriating or going for this time and a half on?"

Speaker Daniels: "Representative Preston."

Preston: "Representative, I'm sorry. I couldn't hear your question. Too noisy."

Leverenz: "Thank you. The head count of sworn officers for Fiscal '82, and then how many we will have in Fiscal '83. I understand it's a reduction."

Preston: "It is a reduction. There is high attrition due to retirement. I know that in Fiscal '83, there are going to be 278 retired police officers on the force. So, that would be 278 for sure less, plus the number who have retired in the interim in '72, during 1972."

Leverenz: "Do you know how many we have though in '72..."

Preston: "I can't give you the exact numbers. There are about 2,100 police officers today was something more than that, and next year there will be...in Fiscal Year '83 there will be about at least 400, I would say four to five hundred fewer police officers."

Leverenz: "So we'll go from 2,100 to approximately 1,700 total sworn officers in the state."

Preston: "Right. Doing that, I might add, doing the same services, of course."

Leverenz: "Well, no, I would suggest that they will have to do more service..."

Preston: "That is correct."

Leverenz: "...With what is left. And, Mr. Speaker, to the Amendment."

Speaker Daniels: "Proceed."

Leverenz: "We have put ourselves in a posture with sworn officers in the state that because we're not bringing any more in, we are not rehiring to take up where those, through

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attrition, are being lost; that the level of protection or the number of people available in sworn positions in the State Department of Law Enforcement and the troopers, that there are less and less on the street. We see the Speaker walking around the House floor with one of them. I don't think he's getting overtime. You're going to stretch these people out until they all but snap, and we have a few we lose through a problem called stress. Overtime is at least some compensation, because we are not, by freeze, bringing anymore in. They deserve some compensation. Surely this would not be enough. I encourage you to adopt the Amendment."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Vitek."

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

Speaker Daniels: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. Representative Preston to close."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen. Just very briefly, the Illinois State Police have served as an example of law enforcement to all the local police departments throughout the State of Illinois. They assist municipalities in their law enforcement activities whenever they're called upon. They assist in keeping the state safe, keeping the highways safe, may...and they have always done it with the utmost of integrity in serving, as I said, as a great example to all of us. This is asking for nothing that almost every single industry in Illinois already has and has had for a very long time, and that's simply time and a half for their overtime hours. They have spent literally tens of thousands, hundreds of thousands of overtime hours as a group, and they have done it without

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the ability to get any additional compensation. Their ranks are going to be reduced in the coming year. There's going to be retirements. Two cadet classes, for example, have been cancelled for the coming year, because the funds simply aren't available for them. So, the same State Police that we have now are going to be spread thinner. They are going to be doing a greater amount of work, and they deserve this. They are the best that Illinois has to offer, and they deserve this. I ask for your 'aye' vote."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #17. All those in favor signify by saying 'aye', opposed 'no'. Roll Call. The Gentleman moves for the adoption of Amendment #17. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative J. J. Wolf."

Wolf: "Well, Mr. Speaker, I'd like to explain my vote, and I hope it will have some effect. You know, we just raised in the Appropriations Committee the policemen's salaries, the state troopers' salaries from five to eight percent. Now you talk about overtime. Prior to, I think it was last year, they got no overtime. They had compensary (sic - compensatory) time off. The troopers have gotten overtime work, straight time, just recently, and now we're in the second year, and you're talking about time and a half, another million and a half dollars. If you want to jeopardize their eight percent salary increase, go ahead and vote for this."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 115 'aye', 43 'no', one voting 'present', and the Gentleman's Motion prevails. Further Amendments?"

Clerk O'Brien: "Amendment #18, Matijevich."

Speaker Daniels: "Excuse me. Representative Preston, for what

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purpose do you rise?"

Preston: "Mr. Speaker, I'm not certain, but I think I heard you say that the Amendment failed."

Speaker Daniels: "No, Sir. I said it prevails."

Preston: "Prevails. Okay, Mr. Speaker, since I'm on a roll, would you permit me to reconsider the banking Bill that I had yesterday?"

Speaker Daniels: "Yeah, but you might lose that one."

Preston: "Thank you."

Speaker Daniels: "Further Amendments? Representative Matijevich, Amendment #18."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #18 to Senate Bill 1414 adds \$27,600 to the division of State Police within the Department. The Amendment corrects errors made in Amendment #2 adopted in Committee, and I move for its adoption."

Speaker Daniels: "Any discussion? The Gentleman moves the adoption of Amendment #18. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. #18 is adopted. Further Amendments?"

Clerk O'Brien: "Amendment #19, Matijevich."

Speaker Daniels: "Representative Matijevich, Amendment #19."

Matijevich: "Mr. Speaker, we must have made a lot of errors that day. This Amendment #19 to Senate Bill 1414 also corrects an error made in Amendment #3 adopted in Committee. The...that Amendment increased all sworn officers' salary to the eight percent that we've just discussed. However, in the original calculations, the State Police division indicated an error of \$400,000 in the personal services."

Speaker Daniels: "The Gentleman moves the adoption of Amendment #19. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. #19 is adopted. Further Amendments?"

Clerk O'Brien: "Amendment #20, Van Duyne."

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Speaker Daniels: "Representative Van Duyne, Amendment #20."

Van Duyne: "Thank you...thank you, Mr. Speaker. #20 attempts to solve some of the same dilemmas that we're in with the State Police, because it lies in the law enforcement field in that it restores \$321,000 to the...to the division of State Police within that Department. But really it has to do with 22 people who work to fix scales on the highway who weigh the trucks as they...as they come by. Initially, there was 112 or 114 people here, and we had deci...the Governor had decided to take all these people off and lay them off. And fortunately, he has rethought that a little bit and put them back to the tune of 90, but that leaves us still a shortfall of 22 people. Now the rationale here is that if you take these 22 people off of their jobs, it will mean there's less people to operate the scales. And the scenario goes one step further that they are going to use State Policemen as replacement for these 22 people. When you think in terms of the damage to our roads, and you...when you think that..of the lost income, the Director Zagel sat right in our Committee and told us that for every one dollar that we spend in this Department, the state takes back two. So, when you take that into consideration of loss of revenue, and when you take into consideration the excess weight going down our highways and the destruction of our roads, I don't see how that we can allow these 22 people to be laid off, not to mention the fact if you lay them off, you're going to have to pay them unemployment compensation besides. So, with all of that said and for many more reasons which I won't mention at this time, I move for its adoption."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, I am somewhat confused. The machine shows...or Amendment 20 sounded to me as if the Gentleman



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from Will was talking about Amendment 21 or 22, and I'd just like to know where the scorecard is this time around, and then I'll oppose whichever one it is."

Van Dwyne: "The Amendment we're talking about is Amendment #20. They are...they are all the same Amendments, but they were technically incorrect until you adopted Amendment #7. We withdrew 16, and now we're working on 20. And when we get to 21 or 22, we'll withdraw those, Sam."

Vinson: "What if I...what if I table 7?"

Van Dwyne: "Well then, I would go with...then I would have to go with 22."

Vinson: "Mr. Speaker, to the Amendment."

Speaker Daniels: "Proceed."

Vinson: "The number of truck weight inspectors that the Committee has selected to include in the Bill is 90. The reason that we have chosen the number 90 was not because of any particular arbitrary purpose or reason. It was because the Department said that was the optimum number of truck weight inspectors. That was the number of truck weight inspectors who would do the most for the state, given the fact that they cost some money and at the same time, they produce some revenue. As we increase truck weight inspectors, Mr. Speaker, we actually began gaining less revenue, and their cost becomes greater. Mr. Speaker, I'd love to hire as many inspectors in State Government as is humanly possible. I'd love to have the chance to recommend some people for those jobs. And every time in the Appropriations Committee in this process this year where there has been a rationale that inspectors, in some way, bring in additional revenue to the state, I've voted for those additional inspectors. I know I won't get most of them, that Ronan will get the vast Majority, but I voted for them to get the one or two crumbs I might get. The problem with this one is that they

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just don't pay for themselves after 90, according to the Department. We're starting to lose money. We can't afford to lose money this year, and I would urge that we vote 'no' even though LeRoy wants to get two or three of those extra 22 inspectors."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Wolf."

Wolf: "Yes, Mr. Speaker, I would join the last speaker in opposition to this Amendment. You know, originally the Governor did not provide for the 112 civilian scale inspectors in his original budget. In the Appropriations Committee, we restored 90 of those positions upon testimony from the Department saying that that was the most effective use of those people and that they could realign, and use 90, and realign them and bring in more revenues than they could with 112 which were not included in the Governor's original budget. I think by the restoration of these 90 positions, that we are in the best position to receive the most revenue back for the amount of lay off and not run us into a deficit on this issue. I think Mr. Vinson was absolutely correct. This is a necessary...is totally unnecessary. It is counter-productive and should be defeated."

Speaker Daniels: "Further discussion? The Gentleman from Wayne, Representative Robbins."

Robbins: "Representative Van Duyne, I have a question for you. About what is the cost of a scale employee?"

Van Duyne: "Roughly \$14,000 a year."

Robbins: "And about what is the cost of hiring a State Policeman?"

Van Duyne: "About 18 for a rookie, you know, a new employee."

Robbins: "In other words, on the other employees, we're going to have to pay overtime or we're going to have to pay at least

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\$5,000 more to hire people to replace those people at the scales."

Van Duyne: "Absolutely correct, with one other alternative, and that is you can close the scales."

Robbins: "Well, you can't close the scales, because the State Police have to have them to use."

Van Duyne: "Well, these are the..we're talking about the fixed scales. Now..."

Robbins: "I understand what you're talking about, because that's what they're doing in areas in Southern Illinois. They're using the State....and closing the scales, as far as scale employees are concerned, but yet they keep a State Policeman in there. Does that make good sense?"

Van Duyne: "Well, yes, you have to have a chaser on hand, as I understand it. But, we are not talking..."

Robbins: "No, I'm talking about having a State Policeman to run the scale."

Van Duyne: "Well, if you lay off the civilians, yes, you will have to take State Policemen off of the highways and put them in the scale houses to run the scales, yes. And you will be paying \$5,000 a year more for each individual employee. That's right."

Robbins: "Then your Amendment would make good sense to keep them working?"

Van Duyne: "I beg your pardon."

Robbins: "Your Amendment then would make good sense to keep these employees working so we could have the State Police in their cars?"

Van Duyne: "That's right. That's right."

Robbins: "Okay, thank you."

Speaker Daniels: "Further discussion? Representative Zito."

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

Speaker Daniels: "The Gentleman moves the previous question. The

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question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and Representative Van Dyne to close."

Van Dyne: "Yeah, thank you, Mr. Speaker, Members. Regardless of what anyone says, the scenario here is to lay off these people and to operate these fixed scales on a part-time basis to whatever degree that occurs. Now, I realize that putting these...force back up to 90 people will not close them near as much as if you...as if it was backed down...all of them laid off. But, if you lay off these 22 people, you not only will have to pay them unemployment compensation, so the savings will not be there altogether, but you will shortchange the state in revenue, because the scales will be closed whether the opposition wants to admit this or not. The Director of the Budget told us at our briefing in the mansion that this was the idea, that they figure that they could operate them with part-time...on the part-time basis with the State Police. Now I submit to you that these scales pay for themselves in the fact that they are just there. Trucks know they are there, and the ones who are blatantly oblivious to the...or overweight try to go around them, and then the State Police picks them up with the portable scales. But if you close them, I just submit to you that the truckers will sit and wait until they know those scales are closed, and then they'll go breezing by. And I don't even want to belabor the point, but I'll just let you conjure it up yourself. How much damage will this do to our highway? So I just...I'll close now and just ask you for an affirmative vote."

Speaker Daniels: "The Gentleman moves the adoption of Amendment #20. All those in favor signify by saying 'aye', opposed 'no'. The 'nos' have it. Amendment #20...Further Amendments?"

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Clerk O'Brien: "Amendment #21, Van Duyne."

Speaker Daniels: "Representative Van Duyne, Amendment #21."

Van Duyne: "Mr. Speaker, I have a kind of a shrill voice, and I know you heard me. I ask you for a Roll Call vote please on Amendment #21, or 20. I'm sorry."

Speaker Daniels: "We're on 21, Sir."

Van Duyne: "20, 20."

Speaker Daniels: "We're on 21. 20 lost."

Van Duyne: "Mr. Speaker, I know I was yelling with my...as loud as I could asking for a Roll Call, and I had a lot of support here along side of me. Now, I don't want to go any further."

Speaker Daniels: "The Gentleman moves the adoption of Amendment #20, Mr. Clerk. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Winchester."

Winchester: "Thank you, Mr. Speaker. I don't understand the reasoning behind this Amendment offered by Representative Van Duyne, because within the next six months, the Congress of the United States and the President of the United States are going to be passing legislation that is going to say it's man...it's going to mandator...or make mandatory and allow for 80,000 pound trucks to travel our state highways. That is the maximum amount that any truck can carry, and there won't be any need for truck weight inspectors. And right now, those who violate the trucking laws in the State of Illinois don't do it where we have the truck weigh in stations. They bypass the truck weigh in areas, and that's why we have portable scales. The people who travel the roads where we have on the site buildings for weighing don't use those roads. And besides, the whole issue is a

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mute issue, because we're going to 80,000 pound weight limits anyway."

Speaker Daniels: "Okay, we're going to dump this Roll Call, and press your own buttons only. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 75 'aye', 80 'no. Amendment #20 fails. Further Amendments?"

Clerk O'Brien: "Amendment #21, Van Duyne."

Speaker Daniels: "Representative Van Duyne, #21."

Van Duyne: "You wouldn't allow me to poll the absentees, would you? It's the first time I've done it in eight years."

Speaker Daniels: "21."

Van Duyne: "I withdraw Amendment #1...21."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #22, Van Duyne."

Speaker Daniels: "Amendment #22, Representative Van Duyne."

Van Duyne: "Yes, I'd like to have leave to withdraw that also."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Representative Meyer."

Meyer: "For an announcement, Mr. Speaker. The House Energy and Environment Committee which was scheduled to meet upon adjournment is postponed until tomorrow morning immediately prior to adjournment on the House floor. Thank you. Prior to convening. Pardon me."

Speaker Daniels: "That will be tomorrow immediately..."

Meyer: "Tomorrow immediately prior to convening on the House floor."

Speaker Daniels: "Alright, at five minutes to ten."

Meyer: "If that's when we convene."

Speaker Daniels: "We convene at ten, Sir. Alright, everybody hear that announcement? Alright. House Energy and

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Environment Committee has recessed. It will not meet tonight. It will meet at five minutes to ten tomorrow on the floor. Senate Bill 1417. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1417, a Bill for an Act making appropriations to the ordinary and contingent expense of the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. Amendments #1, 2, 3, 4, 8 and 10 were adopted in Committee."

Speaker Daniels: "Any Motions filed with respect to Amendments #1, 2, 3, 4, 8 and 10?"

Clerk O'Brien: "No Motions filed."

Speaker Daniels: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment 11, Klemm."

Speaker Daniels: "Representative Flinn, Amendment #11. Klemm."

Klemm: "Withdraw...withdraw Amendment 11."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #12, Reilly."

Speaker Daniels: "Representative Reilly, Amendment #12."

Reilly: "Thank you, Mr. Speaker. Amendment #12 is technical in nature and corrects the fact that we were about a million dollars short in writing down the numbers in a Committee Amendment."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves the adoption of Amendment #20...12. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. #12 is adopted. Further Amendments?"

Clerk O'Brien: "Amendment #13, Bowman."

Speaker Daniels: "Representative Bullock at Representative Ewell's desk."

Bullock: "Yeah, just a point of order. The last Amendment..."

Speaker Daniels: "State your point."

Bullock: "Yeah, the last Amendment that was adopted was alleged to have been a technical Amendment, but it did increase the

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budget by \$1,000,000. I just think the record ought to show that. I don't think that's technical. That's a tax increase."

Speaker Daniels: "It's a technical increase. Further Amendments? Representative Bowman, Amendment #13."

Bowman: "Withdraw Amendment #13 please."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment 14, Bowman."

Speaker Daniels: "Representative Bowman, Amendment #14."

Bowman: "Withdraw Amendment #14 please."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment 15, Mautino - Mulcahey."

Speaker Daniels: "Representative Mautino, Amendment #15."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to open on Amendment #15 and have Representative Mulcahey close, the other Cosponsor. As many of you are aware, Amendment #15 was heard in great detail for approximately two hours in the Appropriations Committee. This is the Amendment that addresses the funding for the 822 clients still residing at the Dixon Developmental Center awaiting the decision by the court on Judge Staniec's ruling. As of this date, I have not received any confirmation or denial of the temporary restraining order in that regard. Basically, this legislation is the same level of funding, approximately \$27,000,000, to retain the care according to the temporary restraining order for those clients that are still at Dixon Developmental Center and cannot be transferred to any other facility. Basically what we are saying is, at this time, there must be funding after July 1 over and above the approximate \$5,000,000 that the Governor has in his budget on this question. It is my estimation that there will be approximately 620 clients still at Dixon Developmental



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Center after January 1, and the responsible position for this General Assembly to take is one which will fund the care, the food, the services, the utilities at Dixon Developmental Center while these patients are in that facility. It only funds for the continuation, as long as those clients are at DDC. As well, in the Judge Staniec's order was the provision that there would no transfers of clients to other facilities without a proper and complete plan for transition to other facilities that will offer the same, equal or better treatment and care. To this date, that has not occurred. The Governor, as you know, has proposed the closing of the Dixon Developmental Center, but because there is no plan by the Department of Mental Health and Developmental Disabilities, those clients will still be at Dixon on July 1 and of the 822, even if the plan were implemented, there would still be over 600 clients there on January 1, and the funding included in the Governor's budget is only a four and a half to five month appropriation, because it costs between 1.5 and \$2,000,000 a month to keep the facility running. I support the Parents' Association that brought this court proceeding to Judge Staniec. First and foremost, they are...the parents are not seeking permanent funding for the DDC, but rather funding until the professional arrangements can be developed for the transfers of their sons and daughters, and brothers and sisters, and relatives that have been clients at the Dixon Developmental Center for anywhere from the past 20...15 to 20 years up to a year or so. There have been no new transfers to that facility, but I believe it is the responsibility of this General Assembly to fund Dixon Developmental Center as long as those clients are there, it is under our Mental Health Code that it is our responsibility to provide the care for them. And by

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providing the care, we must also provide the funds to handle that care. I'd be happy to answer any questions on the Amendment."

Speaker Daniels: "Any discussion? The Lady from Cook, Representative Hallstrom."

Hallstrom: "Representative Mautino, as you know, I'm really concerned about what happens to youngsters at institutions like Dixon. My concern is, are you saying that the Department of Mental Health has....had not...has not included anywhere in their budget the amount of money necessary for putting these children and adults in facilities where we have asked that they be put, certainly ones that are as good or better than Dixon?"

Mautino: "There is a restraining order by Judge Marjan Staniec that said you can't transfer those patients. There was to be a decision today by the Appellate Court on that. I've not received word. The amount of money included in the line item for Dixon Developmental Center for those 822 remaining clients at Dixon is 5.9 million dollars."

Hallstrom: "Yes, I..."

Mautino: "And so there is no funding if, in fact, those 800 people must be there beyond January 1 of '83. This puts the same amount of funding in for those same amount of clients if Judge Staniec's order is continued."

Hallstrom: "I...thank you. But I'm asking, I guess...you...Are you telling me that the Department of Mental Health has not taken into consideration that these people may have to stay, and they are not ready with funding in their budget for this? Where did you get the \$22,000,000 figure?"

Mautino: "Yes, what...the \$27,000,000..."

Hallstrom: "27."

Mautino: "...In this Amendment is the exact amount of money added to what the Governor has in the appropriation for the next

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year's funding for Dixon. They used approximately 33 to \$34,000,000. And so when he appropriated 5.9 million, I added the 27 to it to bring it up to the funding level that they had last year."

Hallstrom: "I guess my concern is that the Department of Mental Health would not take this into consideration, that there has to be money available if...for the people who are remaining. And I wondered, had you talked to Dr. Pavkovic or to the people in the Department of Mental Health?"

Mautino: "I certainly have, Representative, at length in at least four different occasions. Dr. Pavkovic also said to me that if the Judge's order is retained, they will be coming back to the General Assembly for money to care for the patients. I submitted to him and to members of his staff and to the Governor's staff here that you're going to need the money. This is the vehicle to do it, and I'd support a 'yes'...appreciate a 'yes' vote is basically what I told him, because they are going to need the money, in my estimation. July 1st is in a couple of days, and they don't have the funding to continue with the 622...a minimum of 622 will still be there after January 1st. They are the most profoundly in the state, and there is no plan acceptable to the court or the parents under our Mental Health Code that allows them to be transferred. Now, your question earlier was on what funds were available to other facilities. There is money under Capital Development that can't be used between this time, July 1 and January 1, to get those other facilities in shape to accept the...as the certification for the profoundly disabled from Dixon. That's where we are with it, Representative."

Hallstrom: "Okay, thank you very much, Sir."

Speaker Daniels: "Further discussion? Representative Reilly. He's on his way, crossing the aisle to his desk. The

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Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I did have offers to speak from the other side, but I decided to return home. Thank you. This Amendment adds...does two things. Number one, it adds money that we can't afford to the budget. Number two, it is certainly true that, depending on when the stay is lifted - and I am confident that it is going to be lifted by the Supreme Court - and depending then on what the Department does in terms of a schedule to adequately care for the kids at Dixon and other places, and that will be, I am sure, worked out as carefully as it can be; it may be indeed that at some point we're going to have to add some more money to take care of that. We don't know. The Bill, as it stands, has money to keep Dixon going on a several month, six month as I recall, phase down. The fact is, I am confident the stay is going to be lifted. I am confident that the Governor is going to stick by his guns that the institution should close. I am confident that there is no way to make sense out of the mental health budget if that doesn't happen, and this Amendment, which seeks to put money in to keep the institution open for a whole year without any reductions in the size of the institution, is just a mistake. We don't have the money. The decision's been made. I know it is an agonizing one. I know it would hurt, that any community that has that happen is going to object to its happening. At least in this case there is going to be a prison in that community. So, at least the economic impact is cushioned to a large extent. The decision is made. We need to get on with the process of closing Dixon. The Amendment will not stop that process. It simply raises false hopes. It will simply keep us here in endless Committees next week trying to get back to the point where we will be if we simply defeat this

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Amendment. It's a bad Amendment. We can't afford the money. We should vote 'no'."

Speaker Daniels: "Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to speak to this Motion, this Amendment. I am the Representative from Dixon. I share the district with Representative Mautino, Representative Ebbesen. It's a very difficult issue for us to address. I do not feel it is in good order to ask to appropriate monies to fund Dixon for roughly a year over and above, when we speak about carrying the staff in Dixon after January 1st. It is not reasonable. I think the issue will be resolved and will be settled with the Supreme Court decision. We have assurances from mental health and from the Governor himself who spoke in Dixon three weeks ago that whatever monies are necessary at a given time to put the people in proper beds will be funded. And as a consequence, I do not think it is realistic to fund at the level requested by the Representative from Bureau County with regard to the Dixon Mental Health Center. Indeed, the decision has been made. It is most painful for those of us who live in Dixon to lose a mental health facility and at the same time consider the reception of the Department of Corrections, but that's where it is. And as far as we are concerned, we would urge the defeat of this Amendment, bearing in mind that the Governor has given us his personal assurance, together with that of mental health, that when the decision comes down from the Supreme Court on the stay in Cook County, that appropriate monies will be put into this budget to care for and take care of the necessary transfers. Thank you very much."

Speaker Daniels: "Further discussion? The Gentleman from Adams, Representative McClain."

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McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I think that we ought to take a look at Amendment #15 in the true sense of what the Amendment does. What Mr. Mautino is offering to the Assembly is fully funding Dixon pursuant to a plan on how to remove and to transfer 622 residents. Now, that is just purely good management. If we do not adopt the Amendment, what happens is these residents, absent any plan, will have to be moved, because they'll run out of funding. So, Mr. Mautino's issue is that good management, in a business sense of the word, should be funding this Amendment. If a good plan is presented to the parents, and the residents are moved, at least then they have the money to gradually phase out and phase down Dixon. The parents are not unreasonable people. The parents have only asked for a decent plan, case by case, to move the residents out to other adequate facilities. I don't think any of you understand what they're doing to these people. They are taking these people out of Dixon. They are placing them in other institutions. They're taking recreation rooms and placing dividers in, and they are claiming to the Assembly that this is a decent plan and that this is okay for these residents. This is very cruel, and I think that the Membership ought to take a look at Mr. Mautino's Amendment. It is a good management Amendment, and at this time, I think we ought to support it absent any decent plan that comes from the Department. I urge an 'aye' vote."

Speaker Daniels: "Representative Swanstrom."

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

Speaker Daniels: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes'

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have it. Representative Mulcahey to close. Are you going to want to close, Sir?"

Mautino: "Mr. Mulcahey will, but I thought it might be knowledgeable for the General Assembly to have me respond to a couple of comments that were made, I think, and directed to the Amendment that I proposed."

Speaker Daniels: "Well, you can do that when you explain your vote. Representative Mulcahey to close."

Mulcahey: "Thank you, Mr. Speaker and Members of the House. It's all pretty well been said here as far as the Dixon Developmental Center is concerned. There were people on the other side of the aisle who indicated that if funds were necessary after July 1 to carry on the program at that particular center, that they would be made available. There is no way they can be made available, quite frankly. We will not be here, and the \$5,000,000 and the \$6,000,000 has been appropriated already for Dixon is only going to take us up to July 1st. Now, of course this is not going to be an easy decision. There is probably people on both sides of the aisle that will not want to do this, but the fundamental point is this: there has been a court order, a very valid court order that has made the determination that the Dixon Center must stay open, that these people will not get the adequate...adequate care anyplace else in the State of Illinois. Therefore, this money is needed. It's needed now, and we have to appropriate it in order to keep in line, and I would move for a...I'd move for a favorable Roll Call. It's not an easy decision to make. It's not an easy thing to do, but it is something we have to do."

Speaker Daniels: "The question is, 'Shall Amendment #15 be adopted?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative Ebbesen."

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Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, in voting in opposition to this Amendment, I would just say that, you know, they're talking about five and a half million dollars that's already budgeted, and that is certainly sufficient number of dollars for the transition in this particular situation. And if it's not, you know, we're going to be here in the fall. If it necessitates a supplemental appropriation, but there's more than adequate dollars within the budget, this is extra dollars, as Representative Olson has indicated to you, that the Governor has gone to Dixon, and even though we have this situation in the courts, I am sure that we're going to have some kind of a ruling or a decision which the Executive Branch and Legislative Branch, not the Judicial Branch, is running State Government in terms of these dollars and what's to take place. I know we're dealing with human lives, very sympathetic to the situation, but the Governor has made his decision..."

Speaker Daniels: "Representative Mautino to explain his vote. The timer's on, Sir."

Mautino: "I only reiterate what Representative Mulcahey said. There's money in the budget for approximately three months. We leave here July 1. That takes us to October. We will not be in Session in October. I will then pose the question to Representative Reilly or Representative Olson, how can...are you going to allow payless pay days for the employees and nonpayment to the vendors and all those things that make no pay days for the employees who are professionally taking care of those people in October? How are you going to respond to that? I submit to you, by adopting the Amendment, you can...the Governor can cut this, and the money can be eliminated if, in fact, it is not used. But what is the responsible position here is



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certainly that we've got to fund what is in the Mental Health Code. And I don't believe anyone can say that the Supreme Court will not continue that stay."

Speaker Daniels: "Representative Satterthwaite to explain her vote. The timer's on."

Satterthwaite: "Mr. Speaker and Members of the House, even before there was an announcement of closure of Dixon, there was a compliance plan that was supposed to move 125 to 150 people out of Dixon. That movement, too, has been halted by the court order. Even to move those people out between now and the first of October would be a momentous task with several months of planning behind it. To assume that we can additionally move over 600 other clients for whom there has not been the appropriate kind of processing of where they will be placed, the kind of programming they will have, is absolutely ridiculous. We certainly need a supplemental appropriation in this Bill, and this is the way to get it."

Speaker Daniels: "Representative Matijevecich to explain his vote. The timer's on."

Matijevecich: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to share you some information in the court order. There was testimony of a 'Sarah Hoss', a head psychology at Dixon, where she had presented certain problems around issues of transfer of Dixon residents to the administration at Dixon, and she was terminated from her position as a civil rights officer. The testimony of 'Sarah Hoss' was that she had a conversation with the Superintendent of Dixon who told her that the facility would be closed by Christmas, and that in response to the complaints, he pointed out that since she is a, quote, 'big girl now', she should understand that the promise made by the Governor that movement of Dixon residents to placements as good or better was for public consumption only and should not be

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taken seriously. Also..."

Speaker Daniels: "Representative Leverenz to explain his vote.  
The timer's on."

Leverenz: "If those Members that spoke and are voting red blindly follow the Governor's lead, clearly the Governor was wrong, or the Court would not have ruled against the direction that he wanted to go. I suggest if you put the money here and the Governor's plan ends up being that which is the case, it will not be spent. But we will not be back here before the Fall Session to put the money back in, unless you want a Special Session. Wake up and think."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 85, 85. Amendment #15...Representative Mulcahey...or Mautino. The Gentleman requests a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Abramson, Grossi, Huff, Martire, Pechous and Margaret Smith."

Speaker Daniels: "The vote is 85, 85. Representative Mulcahey."

Mulcahey: "Mr. Speaker, I'd like to verify the Negative."

Speaker Daniels: "Well, if we're going to do that, we're going to dump this Roll Call. We're going to have a Roll Call where everybody pushes their own button. Okay, right? Right. Dump the Roll Call. Push your own button only. All in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record. 78 'aye', 77 'no'. Representative Reilly requests a Poll of the Absentees. Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Abramson, Barnes, Bradley, Deuster, Domico, Huff, Kane, Kosinski, Leon, Martire, McAuliffe, Ted Meyer, Neff, Pechous, Pierce, Harry Smith, Margaret Smith, E. G. Steele, Turner, Mr. Speaker."

Speaker Daniels: "Representative Turner."

Turner: "Thank you, Mr. Speaker. Apparently my button's not

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working. I'd like to be recorded as 'aye'."

Speaker Daniels: "Record the Gentleman as 'aye'. Representative Kane, 'aye'. Representative Deuster, 'no'. Representative Katz requests leave to be verified. Representative Garnisa requests leave to be verified. Leave is granted. Representative Leon. Proceed with a Poll of the Affirmative Roll... verification of the Affirmative Roll."

Clerk O'Brien: "Poll of the Affirmative. Alexander. Balanoff. Beatty. Bowman. Braun. Breslin. Brummer. Bullock. Capparelli. Carey. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. DiPrima. Donovan. Doyle. Ewell. Farley. Flinn. Garnisa. Getty. Giglio. Giorgi. Greiman. Hanahan. Hannig. Henry. Jackson. Jaffe. Johnson. Jones. Kane. Katz. Keane. Dick Kelly. Kornowicz. Krska. Kulas. LaHood. Laurino. Lechowicz. Leverenz. Levin. Loftus. Madigan."

Speaker Daniels: "Excuse me. Record the Speaker as 'no'. Proceed. Representative Johnson?"

Johnson: "How am I recorded, Mr. Speaker?"

Speaker Daniels: "How is the Gentleman recorded?"

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

Johnson: "Change my vote to 'no'."

Speaker Daniels: "Change Representative Johnson to 'no'."

Clerk O'Brien: "Continuing the Poll of the Affirmative. Matijevich. Nautino. McClain. McGrew. McPike. Mulcahey. Murphy. O'Brien. O'Connell. Ozella. Pouncey. Preston. Rea. Rhem. Richmond. Ronan. Saltsman. Satterthwaite. Schneider. Schraeder. Slape. Steczo. Stewart. Stuffle. Terzich. Turner. Van Duyne. Vitek. White. Sam Wolf. Yourell and Zito."

Speaker Daniels: "Representative Kulas?"

Kulas: "Leave to be verified, please."

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Speaker Daniels: "The Gentleman requests leave to be verified.

Leave is granted. All right. Questions of the Affirmative  
Roll. Representative Reilly."

Reilly: "Representative Alexander."

Speaker Daniels: "Alexander's in the chair."

Reilly: "Representative Beatty."

Speaker Daniels: "Beatty? John Beatty? Is the Gentleman in the  
chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Reilly: "Bradley."

Speaker Daniels: "Bradley? Jerry Bradley? Is the Gentleman in  
the chambers? How is the Gentleman recorded?"

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

Reilly: "Representative Chapman."

Speaker Daniels: "Chapman is in her chair."

Reilly: "Representative Deuchler."

Speaker Daniels: "She's in her chair, and she's voting 'no'."

Reilly: "Representative Cullerton."

Speaker Daniels: "Representative Cullerton. Is the Gentleman in  
the chambers? Cullerton? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Reilly: "Representative Domico."

Speaker Daniels: "Domico? How is the Gentleman recorded?"

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

Reilly: "Representative DiPrima."

Speaker Daniels: "DiPrima. He's in his chair. Further  
questions?"

Reilly: "Representative Ewell."

Speaker Daniels: "Representative Ewell. How is the Gentleman  
recorded?"

Reilly: "He's here."

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Speaker Daniels: "We'll decide that, Representative Reilly. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Reilly: "Representative Flinn."

Speaker Daniels: "Flinn? Monroe Flinn? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him and return Representative Beatty to the Affirmative Roll."

Reilly: "Representative Huff."

Speaker Daniels: "Representative Huff? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is not recorded as voting?"

Reilly: "Representative Schneider."

Speaker Daniels: "He's right here."

Reilly: "Representative White."

Speaker Daniels: "Jesse White? He's in his chair."

Reilly: "Sam Wolf."

Speaker Daniels: "Representative Sam Wolf is in the aisle."

Reilly: "Representative Kulas. He had leave to be verified. Representative Greiman."

Speaker Daniels: "Greiman? He said he's here. He's in his chair."

Reilly: "Representative... Representative Jaffe."

Speaker Daniels: "Representative Jaffe? Aaron Jaffe? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Reilly: "Representative Kelly. Dick Kelly."

Speaker Daniels: "Representative Dick Kelly. He's in his chair."

Daniels: "Representative Leon."

Speaker Daniels: "Representative Leon? He's not voting. How is

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the Gentleman recorded?"

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

Reilly: "Representative Richmond."

Speaker Daniels: "Richmond? Representative Richmond? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Reilly: "Representative Terzich."

Speaker Daniels: "Terzich? Representative Terzich? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Reilly: "Yourell."

Speaker Daniels: "He's here, right here."

Reilly: "Representative Farley."

Speaker Daniels: "Excuse me. Representative LaHood? What purpose do you arise?"

LaHood: "Thank you, Mr. Speaker. I'd like to change my vote to 'no', please."

Speaker Daniels: "Change the Gentleman from 'aye' to 'no'. Return Representative Richmond to the Affirmative Roll. Further questions?"

Reilly: "Representative Hannig."

Speaker Daniels: "Representative Hannig? He's here."

Reilly: "Breslin."

Speaker Daniels: "Breslin? Peg Breslin? How is the Lady recorded?"

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

Speaker Daniels: "I can't... I don't see her. She's way in the back, back there with Ronan."

Reilly: "Representative Giorgi."

Speaker Daniels: "Representative Giorgi? Representative Giorgi?"

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

Speaker Daniels: "Remove him."

Reilly: "Representative Steczo."

Speaker Daniels: "Representative Steczo? Terry Steczo? How is the Gentleman re... How is the Gentleman recorded?"

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

Speaker Daniels: "He's over here, Sir."

Reilly: "Representative Jones."

Speaker Daniels: "Representative Jones? Emil Jones? How is the Gentleman recorded? He's over here. He's right here."

Reilly: "I see. All right. Thank you. Keane."

Speaker Daniels: "Record Representative McAuliffe as 'no'."

Reilly: "Representative Keane."

Speaker Daniels: "Representative Keane? How is the Gentleman recorded? Keane?"

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

Speaker Daniels: "Remove him."

Reilly: "Representative Giglio."

Speaker Daniels: "Representative Giglio? Giglio? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Reilly: "Representative Kosinski."

Speaker Daniels: "Roman Kosinski? The Gentleman is recorded as not voting."

Reilly: "All right. Thank you, Mr. Speaker."

Speaker Daniels: "What's the count, Mr. Clerk? There are 70 'ayes' and 82 'no's. You request a verification of the Affirmative... Negative Roll? Representative Braun, for what purpose do you arise?"

Braun: "Thank you, Mr. Speaker, two questions... two questions."

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One, whether I was taken off... if I'm still recorded as voting and two, whether I may be verified at this time."

Speaker Daniels: "You have not been removed."

Braun: "Okay. And may I be verified?"

Speaker Daniels: "Representative Braun requests leave to be verified. Leave is granted. All right. We are now on a verification of the Negative Roll, and return Representative Terzich to the Affirmative Roll. Representative Yourell, you have not been removed. Representative Yourell?"

Yourell: "Yes. Some of my colleagues feel that I've been removed from the Roll Call. Would you tell them that I'm here and..."

Speaker Daniels: "Everybody see Representative Yourell? He's got the same coat on as Representative Matijevich. All right. Proceed with a verification of the Negative Roll, and Representative McAuliffe wishes to be verified. You're recorded as 'no', and Stanley, Roger Stanley wishes to be verified. Okay. Representative Huskey. Representative McAuliffe has been recorded as 'no', previously, and verified. You may leave, now. All right, Huskey is verified. Proceed."

Clerk O'Brien: "Poll of the Negative. Ackerman. Alstat. Barkhausen. Barr. Bartulis. Bell. Bianco."

Speaker Daniels: "Verify the Speaker. The Speaker's been verified. Proceed."

Clerk O'Brien: "Birkinbine. Boucek. Bower. Collins. Conti. Daniels. Davis. Deuchler. Deuster. Jack Dunn. Ralph Dunn. Ebbesen. Epton. Ewing. Fawell. Findley. Virginia Frederick. Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom. Hastert. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Karpel. Jim Kelley. Klemm. Kociolko. Koehler. Kucharski. Kustra. LaHood. Leinenweber.



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MacDonald. Margalus. Mays. McAuliffe. McBroom.  
McCormick. McMaster. R. J. Meyer. Miller. Nelson.  
Oblinger. Olson. Peters. Piel. Pullen. Reed. Reilly.  
Rigney. Robbins. Ropp. Sandquist. Irv Smith. Stanley.  
Stearney. C. M. Stiehl. Swanstrom. Tate. Telcser.  
Topinka. Tuerk. Vinson. Watson. Wikoff. Winchester.  
J. J. Wolf. Woodyard. Zwick and Mr. Speaker."

Speaker Daniels: "What's the count, Mr. Clerk? Return Representative Giorgi to the Affirmative Roll. You're starting with a count of 72 - 82. Proceed with questions of the Negative Roll. Representative Mautino."

Mautino: "Representative Topinka."

Speaker Daniels: "Representative Topinka? Judy Topinka? She's here. She's in the rear."

Mautino: "Telcser."

Speaker Daniels: "Who?"

Mautino: "Telcser."

Speaker Daniels: "He's in his chair."

Mautino: "Tate."

Speaker Daniels: "Representative Tate? He's in the rear."

Mautino: "E. G. Steele."

Speaker Daniels: "Representative E. G. Steele? How is the Gentleman recorded?"

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

Speaker Daniels: "Not voting."

Mautino: "Stanley."

Speaker Daniels: "Stanley was verified."

Mautino: "Stearney."

Speaker Daniels: "Representative Stearney? Ron Stearney? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Daniels: "Remove him."

Mautino: "Harry Smith."

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Speaker Daniels: "Harry Smith? Representative Harry Smith. How is the Gentleman recorded?"

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

Mautino: "Sorry. I'm sorry. Irv Smith."

Speaker Daniels: "Irv Smith is in his chair."

Mautino: "Gordy Ropp."

Speaker Daniels: "Who?"

Mautino: "Okay, I see him. Ropp?"

Speaker Daniels: "Ropp is in the aisle."

Mautino: "Robbins."

Speaker Daniels: "Robbins is over here on the side."

Mautino: "McBroom."

Speaker Daniels: "McBroom? Representative McBroom? Ed McBroom? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Mautino: "Leinenweber."

Speaker Daniels: "Leinenweber? Harry Leinenweber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Daniels: "Remove him."

Mautino: "C. L. McCormick."

Speaker Daniels: "Representative McCormick? He's here."

Mautino: "Okay. R. J. Meyer."

Speaker Daniels: "Representative Roland Meyer? Is the Gentleman in the chambers? How is the Gentleman recorded? Roland Meyer."

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Daniels: "Remove him."

Mautino: "Ted Meyer."

Speaker Daniels: "Representative Ted Meyer? How is the Gentleman recorded?"

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

Mautino: "Clarence Neff."

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Speaker Daniels: "Return Representative McBroom to the Negative Roll. He's standing in the center aisle. Thank you, Representative McBroom."

Mautino: "Neff."

Speaker Daniels: "Clarence Neff? Representative Neff? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "That's the fourth one."

Mautino: "Koehler."

Speaker Daniels: "Who?"

Mautino: "Judy Koehler."

Speaker Daniels: "Representative Judy Koehler? She's in the rear."

Mautino: "Jim Kelley. Is Jim here?"

Speaker Daniels: "Jim Kelley? In his chair."

Mautino: "Karpiel."

Speaker Daniels: "Doris Karpiel? She's in the rear."

Mautino: "Grossi."

Speaker Daniels: "Pat Grossi? He's in his chair, I think. Let me see..."

Mautino: "That's Virgil Wikoff."

Speaker Daniels: "Wait a second. Representative Mays, I can't see. Is Representative Grossi here? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Daniels: "Remove him."

Mautino: "Ewing. Tom? I'm sorry. I see Tom."

Speaker Daniels: "Ewing's here. Further questions?"

Mautino: "Barkhausen."

Speaker Daniels: "Representative Barkhausen? Representative Barkhausen? Is the Gentleman here? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

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Speaker Daniels: "Remove Representative Barkhausen. Now, we have Representative Harry Smith has returned and votes 'no'. He is recorded as not voting. Record Representative Harry Smith as 'no'. Return Representative Leinenweber to the Negative Roll, and record Representative Ted Meyer as 'no'."

Mautino: "Tuerk."

Speaker Daniels: "Representative Tuerk is here. Further questions? Representative Leon? How's... How's Representative Leon recorded? Okay, just a second. Harry Smith, 'no'. Ted Meyer, 'no'. And return Representative Barkhausen to the Negative Roll. Now, how is Representative Leon recorded?"

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

Speaker Daniels: "Record him as voting 'aye'. Further questions, Sir? What's the count, Mr. Clerk? There are 73 'aye', 81 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "Amendment #16, Rea."

Speaker Daniels: "Representative Rea, Amendment #16."

Rea: "Thank you, Mr. Speaker, Members of the House. This Amendment would put back the monies for the A. L. Bowen Center in Harrisburg. This is a subject that has been highly publicized, on which numerous hearings have been held, and which has become more well known for the politics of the subject rather than the issue, and in terms of the validity of the... and value of the program. Some of my friends have asked me and... at different times to drop the issue of the closing of the Bowen Center. They maintain that it's a lost issue. My question is..."

Speaker Daniels: "Representative Vinson, for that purpose do you arise?"

Vinson: "Thank you, Mr. Speaker, but I believe the Sponsor's been taken off the Committee and can't offer the Amendment."

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Speaker Daniels: "Representative Rea?"

Rea: "My question is, damaging to whom, and the answer is any and all damage that has been done by discussion of closure of the Bowen Center has occurred to the children and the families of the children of the Center, and those how advocate its closing. Whether or not the closing of Bowen is a lost cause is beside the point in this case. I will continue to bring this to your attention as a matter of conscience - not mine, but yours, as we review this tonight. The vote you cast on this issue will be your conscience. The children who are damaged and the program which will be lost to this state as a result of the closing, will be a matter of regret for many of us for many years. And this is a Center that is of importance to everybody, not just in one segment of the state, but the total state. Aside from the politics, aside from the lack of rationale behind the decision, there is a matter of Bowen itself, and the program it provides. It is a model. It's one that has been well known throughout this state, one of the highest point count systems in the state. It is nationally known. Bowen is a special facility. The children which it serves are among the most severely developed... disabled in any chance of help. Bowen provides one of six, and let me repeat, if I could have your attention. One of six programs in the entire country, which help children who have hearing impairments which affect their mental and behavior attitudes. Ladies and Gentlemen, the Bowen Center, in cooperation with the Wabash Ohio Valley Special Education Program, has developed a program to help these children - one of six in the country. And this is just one of the programs that have been developed for hearing impaired, developmentally disabled children at Bowen. The closure of Bowen will be the

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termination of this program. Why? Just think about it. It has not just developed overnight. It is seldom, when the right ingredients of people, technology, know-how, and resources come together to create the proper resources to bring about an integrated, coordinated, model program, which the A. L. Bowen Center has been recognized for. It's one of the finest facilities in the state. The buildings are good. It's one of the newer facilities. The proposed buildings - and Mr. Speaker, could I have attention on this important matter, please? Mr. Speaker, may I have order, please? This is a very important issue, and perhaps one of the most important pieces of legislation I have sponsored since being here."

Speaker Daniels: "Order. Give the Gentleman order."

Rea: "As I was saying, it's one of the finest facilities, and I wish that each and every one of you could visit this facility. And not only are the buildings much better and newer than the ones that the children are proposed to be moved to, but there is a program, and this is something that has not been developed. I have talked to members of the family. I've said, 'Have you seen a comprehensive program that will be provided and each child is different.', and the parents have said, 'No', and they said, 'No' in the Appropriations Committee last week, which many of you heard. And the Governor, the Governor has not been realistic in his approach, and the Governor has been in violation. Let me point to the Health Facilities Planning Act, passed a few years ago in order to guide the expansion and closure of both public and private health care facilities, which created a planning board charged with reviewing all health facility expansion and closure plans to implementation. Expansions or closures are not to proceed until the Board issues the appropriate permit. The

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Governor and the Illinois Department of Mental Health have authorized the expenditures of sums of taxpayers' money for expansion of another center and the closure of Bowen, without having received the permit. Ladies and Gentlemen, the Governor has turned a flip-flop on this many times. Just two years ago, he visited this Center. And let me give you the quotes of what the Governor said at that time. Thank you, Mr. Speaker."

Speaker Daniels: "For the Governor's quotes."

Rea: "'As a decision-making Governor and as a parent, the state is not going to turn its back on these children, who can't do for themselves. Not only are we going to keep the Center open, we're going to improve it. And we have made improvements. We spent a million and a half last year to bring up the certification on one of the buildings, and we'll spend much more than that on bringing the other buildings up to certification, and we'll never get the high point count system reimbursement that we have at the A. L. Bowen Center'. The Governor goes on, 'I did what you told me to do, to look behind the printed pages of the expert report. They, the task force were wrong. You were right'. These were quotes from the Governor. The Governor... In fact, he went on., and he said, 'The Bowen Center is a valid operation. It is worthwhile, and it is cost-effective. It is not a waste in government. It is an investment in humanity'. And then, he went on, 'I defy anyone to walk through these halls and see how these impaired children are being treated and say we're not doing the right thing. Closure would cause economic problems for the local community. That is only secondary to what it will do to the children. The quality of care is what we are concerned about, and the transfer will not provide the quality of care that those children are

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receiving now". He went on. He said, 'A transfer of these residents whose average age is thirteen, would be unjustified and could be harmful'. And that is certainly true, and at the facility they are proposing to transfer these children to, the average age would fifty or fifty plus. This is not the best example of having those children on the same campus with the adult population. And the Governor went on. He said, 'Based on a careful review of the task force research on the feelings of the people of the community and on both financial and human factors, my conclusion, my conclusion is that the Bowen Center is functioning as it should be, and should not be closed'. This, the Governor said, 'This is the right decision, and it's a happy decision, one I'm happy to make as a family man'. Two years ago, I agreed with the Governor when he made that statement, but since then, he has done a flip-flop, and we found out, in Appropriations Committee as to who made the decision. For the life of me, I knew that it could have not been somebody from the Department of Mental Health who has the professional training, but it was Dr. Mandeville."

Speaker Daniels: "Will you bring your remarks to a close? Your time is almost up."

Rea: "I will bring it to a close very rapidly, here. But it's important. Dr. Mandeville was the one that made the decision, not based upon facts. Ladies and Gentlemen, this closure has been proposed in a haphazard, reckless fashion, one like I've never seen before in state government. We need this center, so I ask for you to cast a favorable vote in terms of restoring these monies for a model program, and one that we need to provide the quality of care. Thank..."

Speaker Daniels: "Representative McCormick. Just... The Gentleman please have your attention? Representative



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McCormick."

McCormick: "Mr. Speaker, Ladies and Gentlemen of the House, I don't know of any man in this House, and I don't think there is one now, that knows any more about Bowen Center than C. L. McCormick. I know about mosquitoes too, and it's all in the same county. Mr. Speaker and Members of the House, if you'd remember back to the beginning of the Bowen Center, it was Paul Powell, and C. L. McCormick, and some of the local people and the news people that carried the load to get Bowen Center at Harrisburg. We tried awful hard to get the big one, but Dwight Friedrich was in position in the Senate, at that time, and he stole it from us. So wave, Dwight. You can take credit for it. But, Ladies and Gentlemen, there's a few things in this life that are real, and one of them is this; every Governor including Dan Walker, Dan Walker, Governor Thompson twice, their administrations has recommended the closing of; one, Anna Hospital and Bowen Center in Southern Illinois. And when Dan Walker recommended it, his administration, my colleague, and my friend, and my neighbor and my friend, if I ever had one, never opened his mouth, because he's working for Dan Walker. Now, let me tell you something else. Nobody hates to lose an institution like C. L. McCormick hates to lose one. But let me tell you something else, too. They talk about the kind of care that these children are going to get. Let me tell you something. I hope there's not a person in this room, of any political faith, that thinks that I would support the closing of that institution if I didn't honestly believe and honestly know that they're going to get as good or better care than they've ever had before. And a little bit further on that. Anna Hospital, Anna Mental Health Center, where they're transferring these children, has just received, and I'm

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sure that my colleagues in the House already know the highest ICHA rating, and it said - talking about Dr. 'Biddle' and talking about the institution, you have so many things going for you that's it's just tremendous. And that's the Joint Commission on Accreditation of the Hospitals. You're putting them in institutional buildings that were built at the same time, that are empty. We've got beautiful cabins down there that we used to house the doctors in, and we're using them for the children. We've got a program going in the educational field that is wonderful for those children. Nobody but a few local politicians that are trying their best to whip up a little politics - that's all right, I've done that too. But Ladies and Gentlemen, let me tell you something. Bowen Center, in all due respect, is gone. Last night, the union had their meeting, and they voted to disband July the first. And to show you how my colleague has worked so hard for the union and for the people that he talks about. And show you how they appreciate him and everybody else, like they do most people, they had a meeting with twenty-seven or eight or nine people present, and they've got about 600 dollars left in their bank account - maybe seven, maybe five, but somewhere in that neighborhood. And the proposition was, we will give a Democratic opponent to the Representative candidate in this House all 600 dollars worth of it, and they got six... but wait a minute, it's not that good. They only got six votes out of a union for a Democrat candidate for the Legislature. Think of that, boys. And then, my friends, on top of that, they decided that our Senator and our Representative, my friends and their colleagues in the district, should have the next shot at it, and they said we'll divide it between them to get rid of McCormick and somebody else. Winchester, I think.

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And you know how many votes they got? They got six, after all this fight, and then they made a proposition to give it to Saline County Mental Health, and they got it all. So what I'm trying to tell you, Ladies and Gentlemen, forget the politics. The children are now being moved. The union has disbanded. A hundred and... I may miss a few here. A hundred and eight, or ten, or five, or seven of the employees have already accepted employment at the Anna Mental Health Center and are going to work next Thursday, the first day of July. The rest of them, the rest of them have either taken retirement or they've taken the layoff, or waiting for their transfer next Thursday to a new facility that the Governor gave to the area because they were losing the jobs. And let me tell you something else. This means that we've got a good, solid foundation at Anna for a good mental health institution. For years to come, there'll be no more Walkers, and there'll be no more Thompsons, and there'll be no more Adlai Stevensons. There'll be no more Adlai Stevensons to come in and close it. And what we're getting in its place is a... a new institution, a correctional facility, and it takes over next Thursday. And the money's there. You voted the money already. And let me tell you this. It means 200 jobs extra in our district in Southern Illinois, and we've got 17% unemployment. Don't you know that it's the first time that I ever saw a Member of the Legislature try to eliminate jobs in Southern Illinois. Paul Powell told me in 1956, he said, 'C. L., we can fight our politics. We can fight our candidates, but whatever one of us wants that will hire one man in Southern Illinois, we're all for it'. And I want those 200 jobs, and I want you people to help me get them, and if I can just tell you a little story that Paul taught me a long time ago, if I've got a minute, Mr.

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Speaker. Do I have a minute?"

Speaker Daniels: "Proceed. Tell the story. Take two minutes."

McCormick: "Mr. Speaker, a long time ago - I'm getting too old and too fat for this - A long time ago, I had a good friend that lived close down in Johnson County, and Paul Powell knew him and I did too, and he had a sister, an old maid sister, and he was a bachelor, and they sold their farm after many years of living frugal and saving everything they could. They sold their farm and got a whole lot of money. They'd never been on a vacation in their life, like me. They decided that they were entitled to one good time in a whole lifetime. So they picked up the phone, and they called Miami, and they got the finest hotel in town, and they said, 'You come on down, and you can stay for four days, 600 dollars. That's 150 dollars a night.' Well, boy, they thought, boy, 'We'll really spend it, and we'll go'. And they went. And when they got there and got in their hotel, they got to thinking about the money they were spending, and they decided they'd have to eat either at Hardee's or Jack-in-the-Box or... or somewhere like that, because they couldn't afford to spend it. They'd been used to eating cheap at home. So when they got through with their four days, and they went in to pay up, the man says, 'You owe me 600 dollars.' Well, he said, 'That's awful high just to sleep for two people.' He said, 'Yes', but he said, 'Look, we provide for you a champagne breakfast, a little morning snack and a little tip at the bar, if you want it - a noon, and a middle afternoon, a supper and after supper, whatever you want to have. We provide all that for you.' Well, the man said, 'We didn't know it, so we didn't use it, and we didn't take advantage of it, so you ought to cut it.' He said, 'No, it was available to you, and you could use it.' This old farmer, being Johnson

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County like all of us are, he thought about it, and he thought, 'That's awful high just to sleep.' He said, 'Mr. Manager', he said, 'You owe me 200 dollars.' He said, 'What for?' He said, 'You slept with my sister four nights - fifty dollars a night.' He said, 'That isn't true, and you know it, Mr. Farmer.' He said, 'You're absolutely right. I didn't know it, but I can tell you this. It was available to you.' And the people in Southern Illinois have been taught by both Democrats and both Republicans that we're available for new institutions, for new roads, for new anything that you give us, or even one political job, Democrat or Republican, Baptist or Methodist or anything else. Mr. Speaker, for goodness sakes, people, support us in this, I pray. Thank you."

Speaker Daniels: "Did you give up? Representative Winchester."

Winchester: "Well, thank you, Mr. Speaker. I don't even know if I ought to say anything, after Representative McCormick, but I'll just talk about the facts. The decision to close the Bowen Center was made roughly one year ago today, when a budget was introduced that reflected a 78 head count reduction at the Bowen Center, and certain Legislators, both Republican and Democrat, through Conference Committee, tried to put over five million dollars back in the Mental Health's budget to restore those jobs, and all we got was 97 votes on the floor of this House. Many of those legislators who are probably going to vote to restore this money tonight, voted 'no' one year ago today. We're talking hypocrisy. What's wrong with - why aren't you voting the same as you did a year ago? We, after realizing that the Bowen Center was going to close, started working for a compromise which we succeeded in getting, a correctional facility. The Gentleman from Christopher had a Motion the other night, which he very smartly and

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intelligently withdrew, would have tried to have tabled that Amendment so that we couldn't have had the correctional facility. He talks about the comments that the Governor said when he came down a couple of years ago. I was there. I played a large part in getting the Governor to change his mind, but the Governor also said that as long as the money was there, he would keep it open. The money's not there today, for many reasons. One is because we took the sales tax off of food, which that side of the aisle supported, and it cost us over five hundred million dollars in desperately needed, sorely needed revenues. We have an institution in that area of the state, the Anna State Hospital that has, as Representative McCormick said, been given the highest accreditation rating in the United States, two weeks ago. Representative Rea said that the Illinois Health Finance Authority has not approved the closure. They have approved the closure. They approved it last week. We spent over four million dollars updating the facility at Anna, just to meet health and safety standards over the last two years. We have a beautiful facility there, and it was, and is, our concern that the children have a decent, good place to be transferred to, and they do have. That's always been our concern. But we are one of the lucky ones, in that we have been able to convince the Governor to convert that beautiful facility into a correctional facility that will not only employ the equal amount that we had at the Bowen Center, but probably, within the next three or four years, double, double its capacity, which would make that area of the state have more economic advantages and more job opportunities. I can't understand the Gentleman's attempt to restore the money, because if he is successful, he knows that we won't be able to put the money in for the conversion to the correctional

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facility. He is playing a very risky dice game here that could cause us to lose out totally and completely in the southern part of the state. I would ask for a 'no' vote."

Speaker Daniels: "Representative Rea, to close."

Rea: "Thank you, Mr. Speaker and Members of the House. In Representative McCormick's closing remarks, I was very pleased to hear him ask for support - at least, that's the way I had understood it. Thank you, C. L. But, I... Again, this is a program that is a quality program. It's one that is needed, cannot be duplicated. It's unique, in terms of how the resources have been brought together in an integrated way. It didn't just happen overnight. You cannot transfer that type of a program to another facility, plus the fact the other facility does not have those accommodations. I am very concerned about jobs also, and... the secondary reason is to try to save those jobs there, and I feel that that should be our number one priority. And as far as the cost, the cost will probably end up being much greater at the new facility than it would if we end up at the same facility there, plus we would have the program to go along with it, with quality of care. Ladies and Gentlemen, I would ask that you cast an 'aye' vote on this very important legislation, and Mr. Speaker, I would request a Roll Call Vote."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #16. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 73 'aye', 81 'no'. Representative Rea. Absentees? Poll the absentees, please."

Rea: "Poll the absentees."

Speaker Daniels: "Representative Hastert as 'no'. Ewing as 'no'."

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Findley as 'no'. Hudson, 'no'. Darrow, 'aye'. Macdonald, 'no'. A Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Abranson. Bradley. Catania. Chapman. Cullerton. Donovan."

Speaker Daniels: "Record Donovan as 'aye'. Cullerton, 'aye'."

Clerk O'Brien: "Ralph Dunn."

Speaker Daniels: "Record Emil Jones as 'aye'. Proceed."

Clerk O'Brien: "Ewell. Kane. Kosinski. Martire. McBroom. Neff. Pechous. Margaret Smith. E. G. Steele. No further."

Speaker Daniels: "77 'aye', and 86 'no'. The Gentleman's Amendment fails. Further Amendments."

Clerk O'Brien: "Amendment #17, McPike..."

Speaker Daniels: "Representative McPike, Amendment #17."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #17 neither adds money nor subtracts money from the department's budget, but it does rearrange some monies. The..The FY '83 budget for the Alton Mental Health Center proposes to eliminate eighteen positions that are currently filled. At the same they're going to take \$266,000 to provide a grant to a regional community...to a regional community facility to provide day care treatment. Now, how it works is this. The...The mental health patients who are housed on the grounds will be provided services by a community agency that comes on the grounds and provides the same services that had previously been performed by state employees. Now, the only thing the department is doing is eliminating state jobs and replacing them with jobs of a community agency. We've heard for a number of years what de-institutionalization is, and some of us have criticized it for going too far. I think this is just a step, a further step along those lines where we are taking state mental health patients and we are leaving



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them on state grounds and state facilities, but we are not caring for them with state employees. We are, in fact, inviting private employees, private organizations into the state grounds and asking them to perform the same services that previously had been performed by state employees. I think it's a bad idea and I would ask for a favorable Roll Call on Amendment #17."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for the adoption of Amendment #17. All those in favor signify by saying 'aye', opposed 'no'. The 'nos' have it. Number 17 fails. Further Amendments?"

Clerk O'Brien: "Amendment #18.."

Speaker Daniels: "Excuse me. Excuse me. Representative McPike?"

McPike: "Mr. Speaker, no one spoke against the Amendment. And the 'ayes' had it, and if you don't ..."

Speaker Daniels: "Clearly the 'nos', but if you want a Roll Call, we'll give you a Roll Call."

McPike: "Thank you."

Speaker Daniels: "All right. The Gentleman moves for the adoption of Amendment #17. All in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 81 'aye', 84 'no'. The Amendment fails. Further Amendments."

Clerk O'Brien: "Amendment #18, Vinson."

Speaker Daniels: "Representative Vinson, Amendment #18. Reilly, are you going to handle that?"

Reilly: "I am not going to handle it. Is... Representative Vinson, I understand, is working on a subsequent Amendment and intended to withdraw this, so I would move to table Amendment #... whatever it is... Amendment #18. Oh, I'm sorry. He can speak for himself."

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Speaker Daniels: "The Gentleman moves to table Amendment... here he comes. Representative Vinson, on Amendment #18."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, Representative Stuffle, Leverenz, and Bower should have been shown as Cosponsors of Amendment #18, because of their efforts and because of the discussions that have been able to ensue because of the support for Amendment #18. I believe we have worked out an arrangement that is the best possible arrangement, given this budgetary year for community mental health agencies. There will be a subsequent Amendment that will embody that, and I will describe it at that time, and I withdraw Amendment #18."

Speaker Daniels: "18 is withdrawn. Further Amendments."

Clerk O'Brien: "Amendment #19, Bowman."

Speaker Daniels: "Representative Bowman, Amendment #19."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've defeated a series of Amendments that attempt to keep various mental health centers open. This Amendment looks at the mentally ill children who are on individual care grants, who are not in institutions operated by the state, but are being cared for in other settings, and the problem that we face right now is that there are about 75 children currently placed. Now, these are mentally ill children. I want you to understand what that means. These are schizophrenic. These are paranoids. These are manic-depressives. These are children with suicidal tendencies. These are children who act out sexually. These are children with extreme problems. There's approximately 75 of these currently placed. There is a waiting list that is approximately 50 children long, and that waiting list can only grow, if we... if we close places like Dixon and Adler and Bowen. So, Ladies and Gentlemen of the House, I offer this Amendment, which is

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approximately 80,000 dollars in General Revenue, to clear out the waiting list, the existing waiting list, and to find placements for these children so that they can receive the kind of psychiatric care that they desperately need. There is no other alternative for these children. They... They must be placed in residential settings and receive full-time psychiatric and nursing care. That is what this Amendment does. It is the least we can do, it seems to me. We... We give 24 million dollars a year for developmentally disabled children, and I support that. But these children are mentally ill. They have extreme problems, as I indicated before. They are psychotic. Many of them have suicidal tendencies, and we have now, a waiting list of approximately 50 children that really, we must serve. And so, I think this is a very... very modest Amendment. It will eliminate the... the entire waiting list, and I urge its adoption."

Speaker Daniels: "Any discussion? Representative Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Amendment. This is 800 and some odd thousand in new money. Now, let me under... explain the history of the program, as its gone through this year's budgetary process. Senator Carroll, in the Senate, added, as I recall, in the neighborhood of 600,000 dollars for this program. Came over here, we sat down with the Department. There had been some discussions with the Senate, also. We, at least, came to an agreement on about a 350,000 dollar addition. The budget for last year was a little over two million in this area. It's at about two million four, as it stands now. This Amendment seeks to add an additional 800,000 plus. In a year in which there are very few increases at all, this line in this area does have an increase. It's not a bad program. I'm not going

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to tell you otherwise, but the Amendment is bad. It's simply not justified, given all of the constraints that other parts of the Mental Health Budget are living under, and it should be defeated."

Speaker Daniels: "Representative Hallstrom."

Hallstrom: "Thank you, Mr. Chairman. Will the Sponsor yield, please?"

Speaker Daniels: "He indicates he will."

Hallstrom: "Representative Bowman, do we have the places where we know where the children are going to go - where we're going to spend the 800,000, because I'm certainly with you. We've got to place mentally ill children, but what kind of plan do we have set up?"

Speaker Daniels: "Representative Bowman."

Bowman: "Well, Representative Hallstrom, these are placed in private facilities, and there is a... a mechanism currently placed that... that has allocated the ... the 75 children who... who are currently placed. The same mechanism, and the... and the same array of private facilities would be available. We are not talking about state facilities. These... These children have been diagnosed, and they're on a waiting list. All that is needed is to provide the funding. They are on a waiting list."

Hallstrom: "Fine. My concern is that I know we need facilities for mentally ill children, and I just wondered if, you know, we need the money, but we also need to know where we're going to put them - in what kind of facilities. Thank you."

Speaker Daniels: "Further discussion? Being none, Representative Bowman, to close."

Bowman: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, in response to the Gentleman from Morgan, it was a rather dispassionate argument. I think that I really

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would very much like to be present as... as he presents that... that argument to a parent of a psychotic suicidal child, who now has that child in their home, and they are unable to... to cope with them, and needs a residential placement for them. So I think that this is the only means we have of clearing up the remaining children on the waiting list. So, these are children who... who have been diagnosed and who are waiting to be served, and I think we must serve them. And if we can't serve mentally ill children, who can we serve in this state? And I ask... By the way, Mr. Speaker, I ask for a Roll Call Vote."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #19. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 67 'aye', 80 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "Amendment #20, Reilly."

Speaker Daniels: "Representative Klemm, Amendment #20."

Klemm: "I'd like to withdraw Amendment 20."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #21, Reilly... Klemm - Reilly."

Speaker Daniels: "Representative Klemm."

Klemm: "On Amendment 21, on line three and on line six, the page number was typed incorrectly. It should be at page two, and I'd like leave of the House to amend it on its face."

Speaker Daniels: "Are there any objections? Hearing none, leave is granted, and Amendment #21 is amended on its face. Would you say that again, Representative Klemm?"

Klemm: "That would be line three."

Speaker Daniels: "Line three."

Klemm: "The number one to be changed to number two."

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Speaker Daniels: "Change number one to number two."

Klemm: "And on line six, the number one for page number one to be changed to page number two."

Speaker Daniels: "Line six, page number one to page number two."

Klemm: "That's correct."

Speaker Daniels: "All right. Proceed, Sir. Leave is granted, be amended on its face. Proceed."

Klemm: "All right. Amendment #21 makes line item appropriations to community mental health centers, and this Amendment adds 45,000 dollars to one center and removes 61,600 dollars from another center, and this is to correct some technical errors that we found in Amendment #4. Originally, when the Bill came out of the House... Originally, when the Bill came out, it was at 75% funding with Amendments from the Senate that raised it to 100%, but some centers stayed at 75% in error, and in order to be fair to all the centers, it was agreed upon to do 90% of funding of '82. And these are some corrections errors that we found, that some centers did not receive their 90%, and I do move its adoption."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves the adoption of Amendment #21. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it, #21 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Senate Bill 1422. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1422, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Public Aid. Second Reading of the Bill. Amendments #1, 2, and 5 were adopted in Committee."

Speaker Daniels: "Any Motions filed with respect to Amendments #1, 2, and 5?"

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Clerk O'Brien: "No Motions filed."

Speaker Daniels: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #6 lost in Committee. Floor Amendment #7, Wolf - Reilly."

Speaker Daniels: "Representative Wolf? Representative Reilly, Amendment #7."

Reilly: "Thank you, Mr. Speaker. Amendment #7 corrects a technical error in Committee Amendment #1. This one truly is technical, not..."

Speaker Daniels: "Any discussion?"

Reilly: "What? Oh, wait. Withdraw Amendment #7. Another technical error. I withdraw Amendment #7."

Speaker Daniels: "Withdraw the technical error in... #7's withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #8, Terzich - Matijevich."

Speaker Daniels: "Representative Matijevich, Amendment #8."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #8 to Senate Bill 1422 adds \$890,173 to fund retirement contributions at 70% of the pay-out level. I move for its adoption."

Speaker Daniels: "Representative Wolf."

Wolf: "Yes, Mr. Speaker. This is similar to the other Amendments which we have defeated this evening. I think we'd be happy for the same vote. Maybe we can do it on a voice vote."

Speaker Daniels: "Representative Reilly."

Reilly: "Representative Wolf spoke correctly. It's a bad Amendment."

Speaker Daniels: "Representative Matijevich, to close."

Matijevich: "Well, Mr. Speaker, we just got through with mental health, and they're at 70%, so I don't see why we shouldn't do it for the employees in the Department of Public Aid. I move for its adoption."

Speaker Daniels: "The Gentleman moves for the adoption of

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Amendment #8. All in favor signify by saying 'aye', opposed 'no'. The 'nos' have it, and #8 fails. Further Amendments."

Clerk O'Brien: "Amendment #9, J. J. Wolf - Reilly."

Speaker Daniels: "Representative... Representative Reilly, Amendment #9."

Reilly: "Thank you. This is the one that corrects the technical errors in Committee Amendment #1."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for the adoption of Amendment #9. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #9 is adopted. Further Amendments."

Clerk O'Brien: "Amendment #10, J. J. Wolf - Reilly."

Speaker Daniels: "Representative Reilly, Amendment #10."

Reilly: "Thank you, Mr. Speaker. When we put together the Distressed Hospitals' Fund to the tune of 20 million dollars, which we've already approved in terms of the substantive language, we took... included in putting that together, we took five million dollars from group care and put that into the new line. Upon reflection and discussion with those in that industry, it seemed to me that that was probably the wrong thing to do, so in order to maintain the 20 million dollars without hurting group care, that is to say, the nursing homes in this state, this Amendment takes five million dollars instead, from AFDC grants. The reason we can do that is, according to the best estimates we have, that line is going to be ten - eleven million dollars over... appropriated anyway. This will bring it down to about the level that we'll actually spend, according to our best estimates, so I would move adoption of Amendment #10."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves... Representative Bullock, you're always late on your light."



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Bullock: "I know. I have a question of Representative Reilly."

Speaker Daniels: "Thank you for your honesty, by the way. Okay.

The Gentleman indicates he'll yield."

Bullock: "Representative Reilly, you said you're switching five million dollars from the AFDC, which was overbudgeted?"

Reilly: "According to the best projections we have now of the case load, that's correct. Now, let me... as you well know, AFDC is an entitlement program. If it turns out that I'm wrong, which I admit I occasionally am, but I think really, both sides, both staffs would agree that I'm probably not right... it's wrong in this case. But if it does turn out that I'm wrong, then the Department will have to make a transfer, or if need be, a supplemental appropriation, because they can't not pay AFDC claims."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #10. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. #10 is adopted. Further Amendments."

Clerk O'Brien: "Amendment #11, Levin."

Speaker Daniels: "Representative Levin, Amendment #11. Withdrawn. Further Amendments."

Clerk O'Brien: "Amendment #12, Levin."

Speaker Daniels: "Withdrawn."

Clerk O'Brien: "Amendment 13, Levin."

Speaker Daniels: "Withdrawn."

Clerk O'Brien: "Amendment 14, Matijevich."

Speaker Daniels: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #14 to Senate Bill 1422 makes operation transfers of 3,703,700 dollars to fund 275 filled positions proposed for layoffs. What has happened, the impact of the Public Aid's budget is that 616 positions will be eliminated; 468 of these will be in the Field Division's front line direct

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service positions. By this Amendment, as I said, we restore 270 Field Division caseworkers and clerks at no additional costs to state GRF. We are shifting in surplus funds from the Central Personal Services and EDP contractual lines, and what is happening, and the vital need for this Amendment is that our caseloads are increasing. The FY '83 Budget projects increases in AFDC cases of 35,000 to 260,000 cases, but the July 1 projection has already been surpassed by 5,000 cases, as it stands now. Caseworkers are cost-effective. As I said in Committee, when I've made some inquiries at our area Department of Public Aid Office, I've counted, at one time, nineteen rings on the telephone where they're busy, and then when I do finally get them, they say, 'Will you please hold?'. They are just so busy, and in the field. By this type of Amendment, I believe that services can be handled. The... If we don't have it, the applications will take longer and fraud and ineligibles will go continue undetected, and I think, therefore, it is a good Amendment, and I move for its adoption."

Speaker Daniels: "Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I rise in opposition to the Gentleman's Motion. Originally, the purpose behind this Amendment when it was offered and defeated in Committee, was that there was a temporary injunction or restraining order that prevented these layoffs. The court, just today, as I understand it... I'm reliably told, has lifted that temporary order and has allowed the layoffs to proceed, which to a large extent it seems to me obviates the point of the Amendment. The fact is, the Department has made the decision to lay them off. I think it holds out a false hope to the people who are going to be laid off anyway, to simply add this money. The Governor would either strike it

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down or simply not hire them. And in any case, it's money we can't afford. The court has decided they can be laid off. The Amendment should be defeated."

Speaker Daniels: "Representative Matijevec, to close."

Matijevec: "Well, I think we have our legislative responsibilities in the separations of... separation of powers. I think it is cost-effective. I think we can reduce the numbers of fraud by this Amendment, and therefore I would urge your support."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #14. All in favor signify by saying 'aye', opposed 'no'. The 'nos' have it, 14 fails. Further Amendments."

Clerk O'Brien: "Amendment #15, Rea."

Speaker Daniels: "Representative Rea, Amendment #15. Withdrawn. Further Amendments."

Clerk O'Brien: "Amendment #16, Currie."

Speaker Daniels: "Representative Currie, #16."

Currie: "Thank you, Mr. Speaker and Members of the House. Amendment #16 deals with in-home and community care responsibilities in the Department of Public Aid. It would not add any new money to the budget in Senate Bill 1422. It would merely transfer five million dollars from nursing homes to a new line, so that the state Department of Public Aid could buy home and community based services. There's a lot of political rhetoric in this state and across the nation, about the need to keep people who don't need to be in nursing homes, out of them. The only way to do it is to establish responsible programs of in-home services and community based cares. In the State of Illinois, we have for the last three years seen a stagnant budget for home and community care - 22 million dollars. That's what's proposed this year. 450 million dollars is what we expect

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to spend on nursing homes. If we do the in-home and community care job right, we'll save money in the nursing home line. Everybody knows that home based care is cheaper as well as a whole lot pleasanter than is institutional care, so this... this Amendment, which would transfer only the five million dollars, is something that people who believe in... in adequate and responsible human services should be supporting. People who believe the rhetoric that most of them preach, that in-home care is better than nursing home care, should support Amendment 16 to Senate Bill 1422."

Speaker Daniels: "Representative Reilly."

Reilly: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the Amendment. This would reverse, in a sense, the action we just took a few moments ago. The nursing home industry and those who are cared for in the nursing homes have agreed on, with the administration, and I think everybody supports it - a total amount of money to be appropriated for that function. This takes five million dollars out of that and transfers it to another function. It happens to be a function I support, House Bill 2147, which the Speaker and I passed out of here and which passed the Senate today, takes responsible steps as to Representative Preston's Bill on the same subject, to that end. The fact is that we do have this agreement. I think it's a reasonable one. It will provide a reasonable degree of service and a reasonable degree of return to nursing homes, so I would opposed the Amendment."

Speaker Daniels: "Representative Currie, to close."

Currie: "In his budget message, the Governor talked glowingly about his new initiative in the in-home care area, his nursing home diversion project. I don't see any money presently allocated in the Department of Public Aid to pay

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for that wonderful new initiative. We're talking here about five million dollars - five million dollars out of 450 million allocated for nursing home care. The only way that wonderful new initiative can begin is if we put money into the Public Aid line item to pay for it. If it turns out the diversion project doesn't materialize; if it turns out the Governor didn't mean it when he said it was time to begin treating people in their homes, in their communities, rather in their nursing homes, then we can transfer this money back into the nursing home line. There is 2% transferability in every budget we fund, and the five million dollars at stake in this Amendment will be available for long-term care if we don't turn our attention to in-home care and save the more expensive dollars that nursing home care requires. I urge adoption of Amendment #16 to Senate Bill 1422, and I would request, Mr. Speaker, a Record Roll Call Vote."

Speaker Daniels: "The Lady moves for the adoption of Amendment #16. All in favor signify by voting 'aye', all opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 70 'aye', 76 'no'. The Lady's Amendment fails. Further Amendments."

Clerk O'Brien: "Amendment #17, Levin."

Speaker Daniels: "Representative Levin, #17."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #17 transfers 20.8 million dollars to general assistance grant line to provide funds for a monthly payment level of 162 dollars and reduces the grant line for AFDC. We heard earlier from Representative Reilly that the AFDC line has, in fact, been overbudgeted, and it was his suggestion to transfer some of that money to

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nursing homes. I think that people are at least as important as institutions. The Department of Public Aid, pursuant to the statute, has estimated that a minimum subsistence budget is 220 dollars. Certainly, we need... we can provide at least 162 dollars for the general assistance recipient. Given the state of the economy, more and more people are falling into the GA category. Currently, there are about 103,000. We heard testimony in Committee that the rents that people are required to pay are currently in excess of the 144 dollars they're now getting. People are in the process of being thrown out of their apartments, of being evicted. I urge the adoption of Amendment \$17."

Speaker Daniels: "Representative Reilly."

Reilly: "I oppose the adoption of Amendment #17. When I indicated that I thought they were overbudgeted, I said 10, 11, 12 million dollars. We've already spent that out of the bank, as I sometime refer to this line. There simply isn't another 20.8 million. Furthermore, it would hold out the hope that they were going to be paid at 162 dollars a month. My projections and those of the staff are that in GA, we're probably underbudgeted, even at 144 dollars a month, so at some point, we'll have to make a transfer for that purpose. This is 20 million dollars we don't have. We should oppose the Amendment. It's a bad Amendment."

Speaker Daniels: "Representative Levin, to close."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I urge the adoption of this Amendment. For once, let's put people ahead of institutions. Please support this Amendment."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #17. All those in favor signify by saying 'aye', opposed 'no'. The 'nos' have it, 17 fails. Further Amendments."

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Clerk O'Brien: "Amendment #18, Levin."

Levin: "I withdraw Amendment #18."

Speaker Daniels: "Withdrawn."

Clerk O'Brien: "Amendment #19, Levin."

Speaker Daniels: "Representative Levin, Amendment #19."

Levin: "Thank you, Mr. Speaker. Amendment 19 is really the other side of the problem raised by Amendment 17. The general assistance levels have been cut from what it was in January up to 190 - 195 dollars, down to the current level of 144 dollars. People can't afford rent, they can't afford utilities. By the same token, the Department of Public Aid has seen fit to cut the cost, the amount of money, services being provided the same recipients for medical services. What Amendment #19 does is to restore those medical services so that, at least, the people will be able to go to the hospital and receive some services. The cuts that are proposed would not permit very much at all. The cuts that are proposed would eliminate the most cost-efficient programs; the out-patient services, the drugs, the dentists, the very programs that people need to get back on their feet so they can go to work. If a person can't get out-patient services, they're going to get sicker and sicker, and they're going to need in-patient services, and that's going to cost the state more money. So I suggest that this is a very cost-efficient Amendment. It restores some humanity to the general assistance recipient who is getting it from both ends. I urge the adoption of this Amendment and ask a Roll Call on this one."

Speaker Daniels: "Representative Reilly."

Reilly: "Thank you, Mr. Speaker. I urge opposition to this Amendment. What this does is take 15 million dollars again from AFDC, and again, I don't think that line has this much more to give, and puts it into what I would deem desirable

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but nonessential services. Now, if we had the money to do that and we had the money to raise the GA grant line and some other things I might think are more important, then this might not be a bad idea. The fact is, we don't have the money to do the very basic things that we need to do to take money out of a line that is going to serve basic needs of people, is wrong, in order to go to these services, which while highly desirable, are not as basic. I would oppose the Amendment."

Speaker Daniels: "Representative Levin, to close."

Levin: "Thank you, Mr. Speaker. We heard testimony in Committee about the tragic consequences of these medical cuts. We heard testimony from social workers, the University of Chicago Hospital, and other medical professionals as to what is happening as a result of these cuts. Representative Reilly indicated, in presenting his Amendment earlier, that if there was an underestimate of the amount of money in the APDC, that they could always do a transfer or they can do a supplemental. Well, that's his priority. I think that people are at least as important - be treating people who are sick, and I urge the adoption of this Amendment."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #19. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 72 'aye', 79 'no'. Amendment #19 fails. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Senate Bill 1427. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1427, a Bill for an Act making



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appropriations to the ordinary and contingent expense of the Department of Veterans' Affairs. Second Reading of the Bill. Amendments #1, 2, 3, 4, 5, and 6 were adopted in Committee."

Speaker Daniels: "Any Motions filed with respect to Amendments #1, 2, 3, 4, 5, and 6?"

Clerk O'Brien: "No Motions filed."

Speaker Daniels: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #7, DiPrima."

Speaker Daniels: "Representative DiPrima, Amendment #7."

DiPrima: "Yes, Ladies and Gentleman. Yea, I'd like to withdraw Amendment 7 and go with Amendment #8."

Speaker Daniels: "Withdrawn. Further Amendments? We have to take that Roll Call again, that we just took, so hang on. Amendment #7 is withdrawn. Further Amendments."

Clerk O'Brien: "Amendment #8, DiPrima."

Speaker Daniels: "Representative DiPrima, Amendment #8."

DiPrima: "Yes, Mr. Speaker. Amendment #8 breaks out an additional line item for the veterans' scholarships. Specifically, this appropriates four million dollars for the Department in order to cover its expenses for the fiscal '82 scholarships. Senate Bills 1388 and House Bill 2232 were supplemental Bills which would have provided four million dollars to the Department in order to restore the veterans' scholarships to full funding. However, both of these Bills failed in House Appropriations Committee. It should be noted that these scholarships are mandated by law, therefore, this Amendment will provide the necessary and needed funding. It should also be noted that Senate Bill 1427 appropriates 4,640,000 to the Department for the military scholarships in Fiscal Year '83. Therefore, Amendment 8 will have the effect of a supplemental appropriation. Now, the State of Illinois by law

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guarantees that the veterans will be able to attend college under the Veterans' Scholarship Program, without having to pay for tuition. It's a good program which says to the people who take the time out to defend their country, 'We'll help you catch up when you get home, by giving you training and education'. Thank you. I'll appreciate an affirmative vote."

Speaker Daniels: "Any discussion? The Gentleman from Morgan, Representative Reilly."

Reilly: "Mr. Speaker, I rise on the usually fruitless task of opposing Representative DiPrima. If, in any way, this would hurt veterans, I would not think of doing that. I always follow his lead on that subject. But in fact, as he very honestly and accurately said, the veterans, by law get the benefits. That's not in question. No benefit... No veteran is going to lose any benefits. In any event, this deals with '82, and '82 is almost over. It will be over in a matter of days. In fact, what this is is additional money for community colleges and for the senior institutions. They will be the beneficiaries. I don't say that as if it's bad, but I want you to understand. Veterans aren't going to lose benefits. The schools will get the benefit, if this were to pass. The fact is again, as with so many other Amendments, we just don't have the money, and the Amendment should be defeated. It's not going to hurt any veteran if it is defeated. It should be defeated. We don't have the money. I would oppose the Amendment."

Speaker Daniels: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members. I question those last remarks, because effectively, what we've done in FY '82 is borrow money to pay for the shortfall in the prior year on the veterans' scholarship. What this does is fully fund

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the scholarship for the current fiscal year. You're talking about the possibility, however you want to cut it, of certain people losing benefits. You're talking about a shortfall in the program of four million dollars. You're talking about a situation where less than fifty cents on the dollar is being paid now, to fund a mandated program that's been fully funded in the past, and a program that Democrat and Republican alike have always had their... added their votes to on this House floor. Representative DiPrima is absolutely right, as he always is on veterans' issues, and for that reason, I and others on both sides, including one Republican Member, have joined as hypenated Sponsors of this particular Amendment, which ought to receive an overwhelming 'aye' vote."

Speaker Daniels: "Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. I would like to point out that the Gentleman from Jacksonville is indeed attempting to speak out of both sides of his mouth. While I fully believe what he is trying to do in the past is saving the budget, but I'm astounded that he is now taking the identical position that has been used against him before. He's saying, 'Well, the veterans aren't losing anything. It's only the colleges and universities around the state that are', and pray tell, Representative, where do you think they're going to get that money? It's four million dollars. We just passed out budgets that are representing a 1% increase for community colleges that have had a 14% increase this year, Sir. 2.5 million dollars of this would go to the community colleges. Now, I don't know where you think you're going to get that money, other than to go the same route the Governor has suggested and that is additional revenue in the form of local real estate tax. They don't have the money. The universities in this state

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are destitute. Now, you're saying, 'Don't worry, folks. The veterans still get to go free. It's just the universities that are losing'. They're in the same shape as the State of Illinois. We've got to meet our responsibility. Vote 'aye'."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative J. J. Wolf."

Wolf: "Yes, Mr. Speaker, I would also join the opposition to this. It is true that the veterans are going to get their scholarships, and so it is really not a veteran issue, if that's what is the governing factor. Again, I've said many times, we make our priorities. Members here have voted for increasing, a little while ago, museums another million and a half, pay raise for the Judges, a million two for the Arts Council, and those are the priorities. I don't argue with that. The fact of the matter is that this budget is not going to be enacted without some pain, and nobody's saying that there's not going to be some pain for someone, and everybody's going to have to share part of that burden. I would join the Gentleman from Morgan in opposition to this Amendment and ask for a 'no' vote."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Bullock."

Bullock: "I move the previous question."

Speaker Daniels: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative DiPrima, to close."

DiPrima: "Yes, Sir. Thank you, Mr. Speaker. Well, I guess you've heard enough on this. You know what the situation is all about. I have an estimated shortfall of what the colleges will lose if this Bill isn't passed... or this Amendment isn't passed, so I will appreciate an affirmative

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vote. I'd like to have a Roll Call, Mr. Speaker."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #8. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative Friedrich, to explain his vote. The timer's on."

Friedrich: "Mr. Speaker and Members of the House, I've been going along with all this austerity business and trying to help the Governor balance the budget, but you've gone too far, and here's where I get off. My college... The college in my district called me yesterday and said that they had to take these veterans with... and get no reimbursement for them, without any tuition. Today, the Governor signed a Bill to give the Judges a six million dollar pay raise, and we provided the money, and you're trying to tell veterans they can't even get an education. This is the place to get off."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. There are 135 'aye', 34 'no'. Amendment #8 is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Senate Bill 1503. Read the Bill."

Clerk O'Brien: "Senate Bill 1503, a Bill for an Act to amend the School Code and an Act creating the Illinois Department of Veterans' Affairs. Second Reading of the Bill. Amendments #2, 4, and 5 were adopted in Committee."

Speaker Daniels: "Any Motions filed with respect to Amendments #2, 4, and 5?"

Clerk O'Brien: "No Motions filed."

Speaker Daniels: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #6 was withdrawn in Committee. Floor Amendment #7, Bowman."

Speaker Daniels: "Representative Bowman, Amendment #7."

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Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #7 has a really very simple concept. What this does, is, it holds school districts partially harmless. There are school districts that have lost almost half of their state aid as a result of changes in the assessment and the multipliers and declining school enrollment and so forth. Those districts whose state aid is virtually being wiped out would be cushioned by this Amendment. It, by the way, costs about a million dollars, but it would be very helpful to approximately a dozen school districts in Cook, Lake, and Lake Counties, and so I urge its adoption."

Speaker Daniels: "Any discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, today in the Senate, House Bill 2384, the general distributive fund formula for the schools was passed and sent to the Governor. That was the product of the Joint School Finance Committee between the State Board of Education and our own School Problems Commission. This Amendment attempts to take seven million dollars of whatever the appropriation is for the General Distributive Fund, and redistribute seven million dollars from all of the school districts in the state to 12 or 13 high school districts. That means that those districts will benefit, at the expense of all the other districts, to the tune of seven million dollars. We debated this concept in this issue with this Gentleman earlier, on House Bill 2384. It was not quite as painful. This Amendment is not quite as painful as the suggestion you had earlier, but the concept and the amount of money is significant enough and equally bad, and I would ask for a 'no' vote on this Amendment."

Speaker Daniels: "Further discussion? Representative Bowman, to

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close."

Bowman: "Well, Mr. Speaker, Ladies and Gentlemen of the House, the Gentleman who opposes this really has quite a bit of nerve, it seems to me. I mean, his... his Bill, 2384, rearranged school aid all over the place. There were approximately 800 winners and 200 losers and among those losers were school districts that this particular Bill hopes to help. He made them losers. He's the one who made them losers. Now, some of these school districts are winding... winding up having 50, 60, 70% of their school aid just evaporating, and... and he helped to do it. And what this particular Amendment does - and he's wrong in the cost, it costs a million dollars, not the much larger figure he suggested, it costs a million dollars. It helps those school districts whose... whose aid has been cut in half, or more, and in only those. So, I think that it cushions them. It helps them only to the extent that it gives them one additional year to... to have the aid taken away from them... before the aid is taken away from them, rather. So, it cushions the blow to those school districts whose aid is being cut at least in half, and in many cases, more. And so, I'm really surprised that the Gentleman had the nerve to get up and talk on this, since he's the one who helped cause the problem in the first place."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #7. All in favor signify by saying 'aye', opposed 'no'. The 'nos' have it, 7 fails. Further Amendments."

Clerk O'Brien: "Amendment #8, Leverenz."

Speaker Daniels: "Representative Leverenz, Amendment #8. Leverenz, Amendment #8? Representative Stanley. Your pleasure, Sir?"

Stanley: "Yeah, I move to table Amendment #8."

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Speaker Daniels: "The Gentleman moves to table Amendment #8. All those in favor will signify by saying 'aye', opposed 'no'. #8 is tabled. Further Amendments."

Clerk O'Brien: "Amendment #9, Stanley."

Speaker Daniels: "Representative Stanley, Amendment #9."

Stanley: "I move to table Amendment #9."

Speaker Daniels: "Withdrawn. Further Amendments."

Clerk O'Brien: "Amendment #10, Mautino."

Speaker Daniels: "Representative Mautino, Amendment #10."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #10 is Senate Bill 1274, put into Amendment form. Basically, it addresses the provisions where a school district abates their taxes under Senate... Public Act 82-316. It is now law in the State of Illinois, for and with the understanding that if a new industry comes into the State of Illinois, the tax abatement would not upset their existing school aid formula. It does not come out of the educational fund. It comes out of the program that's in the Department of Commerce and Community Affairs, and I don't... It came out of the Senate, I think, overwhelmingly, and I don't believe there's any opposition to the Amendment, and I discussed it with Representative Hoffman earlier."

Speaker Daniels: "Any discussion? Representative Stuffle."

Stuffle: "Yes, Mr. Speaker. Would the Gentleman yield to a question?"

Speaker Daniels: "He indicates he will."

Stuffle: "Representative Mautino, I've looked at this two or three times, and I'd like to know the impact, dollar-wise, with regard to the aid that would be redistributed back to the districts involved under your Amendment, if you could tell me what it costs, first of all."

Speaker Daniels: "Representative Mautino. Proceed."



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Mautino: "There is no... There is no cost this year or next year on the proposal. If, in fact, there was any cost, it would be in 1985."

Stuffle: "Could you tell us why that's the case?"

Mautino: "That's how the formula works, as I understand it."

Stuffle: "Because of the lag in the..."

Mautino: "You're exactly right. Yes, Sir."

Stuffle: "Assessed evaluations. Okay. What kind of cost estimate, if any, do you have for '85, or is there any estimate of those that would take... avail themselves of the abatement provisions of that Bill that we passed prior to this current Session?"

Mautino: "I have been informed that the escalation of the property values on the remaining 25% of the property would offset any cost. It's a protective measure only, as it is presented. There would be no cost at all, as I have been informed."

Stuffle: "Can you explain that when you say the escalated value of the other property would offset the costs in this Bill... in this Amendment?"

Mautino: "Yes. When Public Act 82-316 was signed into law, one county put that tax abatement into effect, and they did it for the Iowa Beef Processors and their proposal in Bureau County. Iowa Beef also asked the school... two school districts involved if they would abate 75% of their taxes on the building as a concession. The two school districts did that. This is basically a protection for future years. I was informed that the escalating evaluation of the property would offset any cost to any program in the state, and it would not come out of anyone else's school aid formula."

Stuffle: "Well, if they... if they abate taxes under the Bill that you passed, they reduce revenue, and that would seem

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to me to put them in the posture of, on one hand, saying, 'We're giving a tax break as an incentive to lure people into our area'. Are you suggesting then, that by doing that, lowering that value, that in turn they ought to be able to come back and pick up state aid, and if that's the case, are they really getting it both ways?"

Mautino: "Well, not really, Representative, because if, in fact, they come in and they build a 30 million dollar plant, the evaluation of that plant, of course, would be much greater than the property involved in a... abatement that would be addressed by the school district. It would also create jobs, etcetera. But what I'm saying is that we're not taking money from the school aid formula, and it's only a protective measure. That's what it's been presented to me as."

Stuffle: "One last question. If that's true, your suggestion is that you're jacking up the real estate base by the addition of property that would be taxed. You gave them an abatement, so that they would come in and go through an activity that would produce an income producing and property tax producing, revenue producing property. Given your own position, but due to the lag in the way that we calculate state aid, and there is a lag, and you indicate that that will be in '85 that there would be an effect, if any, don't you also have a lag when you put that plant on site? And doesn't that lag create a situation where, in the interim of it being put on site and later being utilized in the calculations of the formula, that in that interim, they'd be getting it both ways - having given an abatement on one hand and having picked up aid to replace the shortfall on the other?"

Mautino: "It's possible but not probable, Larry."

Stuffle: "Okay. I... I have mixed emotions. I think it's a..."

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an Amendment that ought to be considered. I frankly think that it could create a problem, and I don't see - and I hate to say this - I don't see how it would fail to impinge on the overall revenue involved with the school aid formula. I know that Representative Hoffman and I, as Sponsors of that other Bill that Representative Bowman talked about being onerous to 200 and some districts, have looked at this several times today and yesterday, and I frankly can't see how it works that way. You may be right, and I may be wrong, and I'd like to support you as I have in the past most times, but I don't see that it works that way. It seems to me, if you argue that there's a lag that would create a situation that this wouldn't become a cost factor for two years, and on the other hand, when you put that plan on site, it doesn't show up in its... in its... as a EAV factor until later on down the line, and in the interim - in the year or two of the lag - then it seems to me that we're getting a situation where we're giving it to the districts both ways. I'd love to do that if we could, but I don't know that we can afford to do that, given all the revenue problems that we have."

Mautino: "Larry, basically, as I said earlier, I understand your concerns. They were my concerns, originally. As this Bill was originally drafted in the Senate by Senator Schuneman, it... it addressed the recapturing of the lost funds by the educational formula. It was pointed out that it was not under the auspices, and we did not want to do anything with the educational formula, but there is an authorization under the Department of Commerce and Community Affairs specifically for this type of presentation, and that's how it was drafted."

Stuffle: "Thank you."

Speaker Daniels: "Representative Mautino moves for the adoption

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of Amendment #10. All those in favor signify by saying 'aye', opposed 'no'. 'Nos' have it. Amendment #10... yes, Sir? All those in favor signify by saying 'aye', opposed 'no'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are 104 'aye', 54 'no', 1 voting 'present', and Amendment #10 passes. Further Amendments... or, is adopted. Further Amendments."

Clerk O'Brien: "Amendment #11, Stuffle - Stanley."

Speaker Daniels: "Representative Stuffle, Amendment #11."

Stuffle: "Yes, Mr. Speaker and Members, very briefly, what Amendment #11 does is add some technical pieces, basically, to the Bill that we passed last year regarding collective bargaining elections, elementary and secondary..."

Speaker Daniels: "Representative Mays, for what purpose do you rise?"

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

Speaker Daniels: "Proceed."

Mays: "Amendment 11 has been drafted as if the Bill was unamended. This Bill has been substantially amended since introduction with Amendments 2, 4, 5 and now 10. As a result, this Amendment cannot be read consistent with the Bill as currently amended, and is, therefore, technically incorrect. And I request you, Mr. Speaker, to rule this Amendment out of order."

Speaker Daniels: "We will look at the Amendment, Sir."

Mays: "Thank you."

Speaker Daniels: "Representative Stuffle."

Stuffle: "On that point, before addressing the Amendment, with regard to your ruling, the Amendment does deal with the Bill, I think, technically and correctly; whether or not

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you regard the issue of whether or not it states that it deals with the Bill as amended. I think it does deal with the title, and it does deal with regarding itself to the Sections already in the Bill. And most importantly on point I think it fits in the Bill even with the last Amendment."

Speaker Daniels: "Representative Kustra, on that point."

Kustra: "Mr. Speaker, while the Parliamentarian is reviewing that, I would just also point out that Amendment #5 really has the same problem, and when this Bill gets to Enrolling and Engrossing, if these Amendment go as they are now, there's no possible way, I think, that Enrolling and Engrossing could straighten them out; because Amendaent #5 has the same problem that Amendment #11 does."

Speaker Daniels: "You'd be surprised what Enrolling and Engrossing could do. We're checking the Amendments. Representative Kustra, Amendment #10 struck everything after the enacting clause. #10 is the Bill. We're still checking, Representative Mays. Gentleman's point is well taken. Amendment #11 is out of order. Further Amendments?"

Clerk O'Brien: "Amendment #12, McGrew..."

Speaker Daniels: "Representative McGrew, Amendment #12. McGrew."

McGrew: "Thank you very much, Mr. Speaker. Amendment #12 to Senate Bill 1503 simply states that, in case the General Assembly is not...the monies that we appropriate is not adequate to fully fund the Veterans Commission...or the Veterans Scholarships, that in those instances, the colleges and universities could directly Bill the students, and I would move for its adoption."

Speaker Daniels: "Any discussion? Representative Hoffman."

Hoffman: "I...I'm sorry, Mr. Speaker, would the Sponsor give me a quick review of this again. I was distracted."

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Would...Would the Sponsor yield to a question?"

Stuffle: "Certainly."

Hoffman: "I mean, explain a little bit for me. Okay, in the past, as you're well aware..."

Speaker Daniels: "Excuse me, Gentlemen. Representative Stanley, for what purpose do you rise, Sir?"

Stanley: "Yeah, would you please take this Bill out of the record?"

Speaker Daniels: "Out of the record. Senate Bill 1654. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1654, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Daniels: "Out of the record. Take the Bill out of the record. 1665, Representative McBroom. Out of the record. House Bill 2425, on the Order of Concurrence, page eight. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2425...45...2425, a Bill for an Act to amend the rel...Retailers' Occupation Tax Act..."

Speaker Daniels: "Representative..."

Clerk O'Brien: "...together with Senate Amendments 1, 2 and 3."

Speaker Daniels: "Representative Friedrich."

Friedrich: "Mr. Speaker, Members of the House, I move that we concur in Amendments #1 and 2. Amendment #1 was put in by the Senate, which provides that...it exempts from sales tax, the sale of personal property to an interstate carrier for hire who takes possession of the property in Illinois, transport it out of Illinois. This was designed in part for a company that will make...making steel rails, and if this is not passed, we...the plant will probably move out of Illinois. And we're talking about 1,000 jobs. It does provide that the tax lost by the municipalities can be reinstated by that municipality."

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Speaker Daniels: "Discussion? Representative Cullerton at Representative Getty's desk. Deep voice."

Cullerton: "Is the Motion to concur with all three Amendments?"

Speaker Daniels: "Representative Friedrich has moved to concur in Amendments 1 and 2."

Cullerton: "What is his position on Amendment #3?"

Speaker Daniels: "Representative Friedrich."

Friedrich: "I move to concur in all three. I'm sorry."

Speaker Daniels: "Gentleman has moved to concur in 1, 2 and 3. Any discussion? Representative McPike."

McPike: "Would the Sponsor yield?"

Speaker Daniels: "He indicates he will."

McPike: "Representative Friedrich, could you explain why you feel that its necessary to give a corporation that spent six billion dollars last year to buy Marathon Oil, could you tell us why you think it's necessary to give a corporation that spent six billion dollars to buy Marathon Oil additional tax breaks?"

Friedrich: "Well, number one, the railroads...the Federal Court has ruled that the...the Conrail and others do not have to pay the tax. Are you talking about the Bill in itself, or are you talking about the rail part of it? We've got...Which Amendment are you talking about?"

McPike: "Well, you indicated that there was a...that there were tax breaks in here for a specific company."

Friedrich: "That's true. Well, number one, the Bill itself of course exempted from taxation, Illinois tax, petroleum products that are sold to Conrail, because they could not pass it on; because our...the Federal Government will not let Conrail pay it. Number two, on the rail deal, it was just a matter of keeping those jobs in Illinois and keeping that plant here with 1,000 jobs, instead of letting some other state have it. It's that simple."

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McPike: "Well, I can...I can see that a...a corporation that only has six billion dollars to spend, I can see how they would need a little additional help."

Friedrich: "Well, we're talking about a 250,000,000 dollars expansion. If you want it in Illinois, that's fine. If you don't then of course that's another matter. But, I...I personally think we need all the jobs we can get in Illinois and particularly in the Chicago area."

Speaker Daniels: "Further discussion? Gentleman from Sangamon, Representative Kane."

Kane: "Would the Sponsor yield to a question?"

Speaker Daniels: "He indicates he will."

Kane: "Are we putting ourselves in a situation here that any plant coming into Illinois is going to hold the state or the Legislature up and say, 'We're not going to come here unless you give us this special tax break'?"

Speaker Daniels: "Representative Friedrich."

Friedrich: "Number one, this does not apply to the products sold in Illinois, and that's also going to be increased, because it's an Illinois plant. We're just saying that those...those products that are made in Illinois, picked up and transported out of Illinois, actually not used in Illinois, are not subject to the tax. It does...And I might say also, that it does not deprive the local communities of their portion of the tax, which would be the City of Chicago and the County of Cook and so on; because, that's provided that they can put the tax back on."

Kane: "But, what...what's the tax break we're giving, then, that's going to bring this company or induce this company to make an investment in Illinois."

Friedrich: "Number one, it's to encourage it to stay here, and it's to encourage it to expand."

Kane: "Yeah, but what is the actual tax break, and how much...how



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many dollars are we talking about?"

Friedrich: "Well, frankly, we think it will be a tax increase in Illinois before it's over with."

Kane: "Yeah, but what is the tax break that you're giving?"

Friedrich: "We're talking about the sale tax of goods that are picked up in Illinois and delivered in other states, even though they're made in Illinois and delivered in Illinois to a company that's taking them out of state."

Kane: "How is that going to induce this company to invest in Illinois?"

Friedrich: "How's it going to reduce it? Because they don't have to pay the Illinois tax on it."

Kane: "Yeah, but if they're going to deliver it out of state, why do they...why..."

Friedrich: "Because it's delivered to the other company in the State of Illinois."

Kane: "Representative..."

Friedrich: "Point of delivery."

Speaker Daniels: "Representative Collins."

Collins: "Well, Mr. Speaker, Representative Kane asked how this would add to investment in Illinois. The fact is that this...that U. S. Steel will expand and convert their U. S. Steel Southworks in Chicago, on the south side of Chicago, for the operation and construction of this rail equipment that they will operate. And so as a result a dying plant in Chicago, a really nearly obsolete plant, is to be converted for the specific purpose of expanding into this...this rail construction operation of theirs, and from the figures that I have seen, will result in a very short period of time in a net gain of tax revenues in Illinois because of the...the products manufactured there and the jobs generated. So, it is...it is, from the figures I've seen, I think an investment in Illinois economy and in an

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area in which I am very familiar. And Representative Balanoff is looking over here. I think she could probably confirm what I'm saying, that this is an old steel plant on the south side of Chicago that will be utilized to its fullest again and, in fact, can be expanded."

Speaker Daniels: "Further discussion? Representative Barr."

Barr: "Yeah, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that perhaps the mistake that some people are making here is referring to this as a...as a tax break. It really isn't a tax break for anybody. It's a question that, if this tax that we have in Illinois continues to be applied the way it is, there isn't going to be any tax paid, because these products aren't going to be sold and the plant's going to go out of business. This is a Bill solely to preserve a...and expand a business in Chicago where it's badly needed, where the jobs are needed, where the investment is needed. And if this plant is there then taxes are going to be paid by the plant and by its employees, and if it's not there, they're not going to be paid. This is for the benefit of the state and for the Chicago community. It's not properly characterized as a tax break at all, and we ought to vote for it."

Speaker Daniels: "Further discussion? Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Representative Friedrich's Motion for concurrence. I note that a part of the Bill is a Bill which I sponsored earlier, Senate Bill 976. At that time, it was needed to make the railroad industry more competitive and put them on equal footing with other states, and I think it's a great Bill. And I think it's getting late and we ought to get out of here. And I think we ought to cast an 'aye' vote."

Speaker Daniels: "Representative Friedrich to close."

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Friedrich: "Well, I just concur in that the third Amendment merely put DuPage County in the same procedure as Cook County for the collecting of del...delinquent special assessment."

Speaker Daniels: "Gentleman moves to concur..."

Friedrich: "...that's for you, Representative Daniels."

Speaker Daniels: "Gentleman moves to concur in Senate Amendments #1, 2 and 3. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's 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 144 'aye', 6 'no', none voting 'present', and the House concurs in Senate Amendments #1, 2 and 3. House Bill 579, Representative McMaster. Read the Bill."

Clerk Leone: "House Bill 579, a Bill for an Act to amend an Act in relationship to county zoning together with Senate Amendments 2, 3 and 6."

Speaker Daniels: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, I move to concur in Senate Amendments 2, 3 and 6 of House Bill 579. This is a Bill that I introduced last year to change the penalty for the violation of the county zoning ordinance from a Class B misdemeanor to a petty offense punishable by a fine of not more than 500 dollars; with each day that the violation remains uncorrected constituting a separate offense. Senate Amendment #1 is involved with the terms of county board members who run from districts, and it sets up the same method of determining the length of their terms, 2-4-4, 4-2-4 or 4-4-2, the same as the Senate of the State of Illinois, and there is certainly nothing wrong with this Amendment, and I agree with it. Amendment #3 provides that each week that the violation remains uncorrected in the original Bill

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constitutes a separate offense, rather than each day, and I think this relieves the penalties a little bit. Senate Amendment..."

Speaker Daniels: "Any discussion?"

McMaster: "Senate Amendment #4 allows counties and townships to levy a tax by referendum, and I underline by referendum, for senior citizen services exclusively. The county tax may not exceed .025 percent, and the township tax may not exceed .1 percent of the equalized assessed valuation of the county or townships respectively. And I point out again, this is not placing a tax on people without their having a voice in it. It is by referendum."

Speaker Daniels: "Gentleman moves to concur in Senate Amendments #2, 3 and 6. All in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? We'll hold up the House for you, Sir. Pardon us. Take the record. On this question there are 161 'aye', 2 'no', and the House concurs in Senate Amendments #2, 3 and 6 to House Bill 579. House Bill 1108. Read the Bill."

Clerk Leone: "House Bill 1108, a Bill for an Act to amend the Illinois Pension Code with...together with Senate Amendments #1 and 2."

Speaker Daniels: "Representative Schneider."

Schneider: "Mr. Speaker, Members of the House, these Amendments that were attached and passed out of the Senate at a 59 to nothing vote, it's the early retirement provision that's been in the law for a year now, and we're adding it...we're extending it five years to 1990. We're also trying to avoid a...an abuse of the early retirement process by having the calculation done at a higher...of either the final full-time salary or the highest salary used in determination of average salary, and then at the request of

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Senator Weaver in the university system, we are using another calculation for persons who are in this system and they utilize a provision related to their purchasing in or out of the...not out, pardon me, rates of...for repayments of refunds and contributions of part-time employees who become full-time employees. It turns out to be a more realistic system. It's re...It was requested from the retirement system. This went out, as I said, 59 to zip. I don't suppose there's any opposition. I would ask that we do concur in Amendments 1 and 2."

Speaker Daniels: "Representative Birkinbine."

Birkinbine: "Thank you, Mr....Thank you, Mr. Speaker. Will the Sponsor yield for a question? What is the financial impact to local school districts on this?"

Schneider: "None that I can speak of. The option program's been in the books for a year. The 1.8 million dollars in retirement benefits that were paid out by the board and the...and the teachers resulted in a 15.95 million dollars benefit. You can recalculate some of those at various kinds of investments. We think that if you invested that money that, of course, you'd make more as a result of the early retirement. And so, the numbers are rather substantial in terms of benefits to the retirement system."

Birkinbine: "Why did the Senate feel compelled to exempt this from the State Mandates Act, then?"

Schneider: "That I can't answer. I don't...Well, I guess there's no impact. You know, if I...if you see where you pay out 1.8 million, but then when you get the up front money of 15.95 million the impact is really not there. It's a benefit. When you take that money and invest it, it's going to be a larger...a larger amount than 15 million dollars."

Birkinbine: "Well, I can see the point you're making, but I would

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suggest that when we exempt such Bills from the State Mandates Act, especially when we're dealing with something as potentially expensive as pension plans, that it's a...a bad move and should not be done."

Speaker Daniels: "Further discussion? Representative Schneider to close."

Schneider: "Thank you, Mr. Speaker. I do think we have proven over a short run already that it's a beneficial system. I would think that the extension and the amounts of money that it's yielding, the equity of the benefits in the university retirement system that it is a good proposal, and I would ask your support."

Speaker Daniels: "The Gentleman moves for the concurrence of Senate Amendments #1 and 2 to House Bill 1108. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's 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 157 'aye', 3 'no', 1 voting 'present', and the House concurs in Senate Amendments #1 and 2 to House Bill 1108. Now, on House Bill 1503, the Parliamentarian, in reviewing Amendment #10, tells me that he was in error and that that is still part of the Bill with the previous Amendments, and so previous Amendments stand. However, the ruling regarding Amendment #11, which was ruled out of order, is correct, and Amendment #11 to 1503 is out of order, and the Bill will remain on Second Reading, per the Sponsor's request. We'll take that up tomorrow. 10 is still in order. Okay, now, Ladies and Gentlemen of the House, we are going to have one last piece of business, which are several Bills on the Order of Third Reading appropriations. They're all appropriation Bills. This is an agreed Motion between Representative Wolf, Representative Matijevich. It's been

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cleared by Speaker Ryan and Minority Leader Madigan. For purposes of that Motion - please listen carefully - Representative Wolf."

Wolf: "Yes, Mr. Speaker, Representative Matijevich and I move to consider the following appropriation Bills together on Third Reading on one Roll Call, and I'll read those Bills and I'll explain each one as we go. 1285, 1361, 1374, 1403, 1407, 1408, 1409, 1410, 1411, 1412, 1416, 1421, 1426, 1428 and 1516. If we have leave for those, I'll explain each one."

Speaker Daniels: "Okay, the Gentleman will explain each Bill. Does the Gentleman have leave to consider those on one Roll Call? Leave is granted. Now, for the purposes of explaining each Bill and to go through them for you, Rep...quickly, Representative Wolf."

Wolf: "Thank you, Mr. Speaker, Members of the House. These are all OCEs and noncontroversial. Senate Bill 1285 appropriates 263,200 dollars in GRF for the ordinary and contingent expenses of the Judicial Inquiry Board for FY '83. Senate Bill 1361 appropriates 50,005,900 dollars for employer contributions, and appropriates 1,694,500 from the State Pensions Fund to the State Universities Retirement System. Senate Bill 1374 as introduced in the House appropriates 9,387,000 GRF for the FY '83 ordinary and contingent expenses for the Office of the Auditor General. Senate Bill 1403 appropriated, as introduced, 310,700 from GRF for the ordinary and contingent expenses for the State Civil Service Commission for FY '83. The Senate did reduce that appropriation to 305,500 to allow for a four percent salary increase, and we did restore that in..by the House. Senate Bill 1407 appropriates 3,004,500 dollars for the FY '83 ordinary and contingent expenses for the Department of Financial Institutions. Senate Bill 1408, as introduced,

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appropriated two million dollars from GRF and 31.1 thousand dollars from the State Pension Fund for a total appropriation of 2.1 million to the General Assembly Retirement System. Senate Bill 1409 provides 3,066,100 dollars OCE for the Guardianship and Advocacy Commission. Senate Bill 1410 appropriates 256,600 dollars for FY '83 OCE for the Illinois Health Finance Authority. And Senate Bill 1411 is the...appropriates 1,760,200 in GRF to the Historical Library. Okay, this is a 1.4 percent reduction from the introduced level, and a 4.1 increase from the Senate level. Senate Bill 1412. As introduced, Senate Bill 1412 appoint...appropriates 7.6 million in GRF and 231,700 dollars from the State Pension Fund for the OCE expenses of the Judges' Retirement System. Senate Bill 1416 appropriates 4,142,700 for the OCE for the Local Government Law Enforcement Training Board - this is a police training board - for FY '83. Senate Bill 1421 appropriates 729,800 dollars in GRF for the FY ordinary and contingent expenses of the Pollution Control Board, which is a 9.5 percent increase over last year's appropriation. Senate Bill 1426, as introduced, this appropriated 160,700 dollars in GRF and 1.8 million from the State Pension Fund for OCE for the State Employees Retirement System. Senate action reduced that, and we restored that up to the original amount. Senate Bill 1428 appropriates the Governor's Purchase Care Review Board, 98,350 dollars in GRF and 98,350 dollars in federal funds...matching funds for the purpose of approving costs in the in-state/out-of-state day school and residential special education facilities. Here's a big one, Mr. Speaker. You might want to worry about this one. Senate Bill 1516 appropriates two dollars to the Department of Commerce and Community Affairs for reimbursement to local governments



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provided in the States Mandates Act. That's it."

Speaker Daniels: "On that Motion, Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker, I concur with the Gentleman's Motion. It was previously discussed, but on the last Bill, I'm sure he'll be back."

Speaker Daniels: "Representative Matijeich."

Matijeich: "I was going to say the same thing. We have worked it out, and I not only support the Motion, I intend to vote 'aye' on the Roll Call on the Bills."

Speaker Daniels: "Gentlemen, Representative Wolf and Matijeich, have move for the passage of Senate Bills 1285, 1361, 1374, 1403, 1407, 1408, 1409, 1410, 1411, 1412, 1416, 1421, 1426, 1428 and 1516. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 139 'aye', 22 'no' and 5 voting 'present', and these Bills, having received a Constitutional Majority, are hereby declared passed. Agreed Resolutions."

Clerk Leone: "Senate Joint Resolution 103, Daniels. House Joint Resolution 97, DiPrima - et al. House Joint Resolution 98, McClain - Macdonald. House Joint Resolution 99, DiPrima - et al. House Resolution 1033, Hudson. House Resolution 1034, Miller - Woodyard - Stuffle. House Resolution 1035, Collins - Leinenweber. House Resolution 1036, Bowman. House Resolution 1037, Bower. House Resolution 1038, Zito - Leverenz. House Resolution 1039, O'Connell - et al. House Resolution 1040, Yourell. House Resolution 1041, Wikoff. House Resolution 1042, Neff."

Speaker Daniels: "Representative Conti, Agreed Resolutions."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, House Joint Resolution 97 commending the American Legion Scholarship Awards. There's four of them that receive it,

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William Kephart, Jr., James D. Leonard, Patricia E. Moon, Harry E. (sic - A.) Thomas. That's by DiPrima - et al. House Joint Resolution 98, McClain - Macdonald, that we recognize the township officials of Illinois for 75 years of service to the citizens of the State of Illinois through the promotion of local self-government. House Joint Resolution 99, DiPrima - Ryan - Madigan - et al, that we congratulate John and Mary Horan upon their unanimous election to the posts of Department Commander of the Disabled American Veterans of Department of Illinois and Disabled American Veterans Department of Illinois Auxiliary, respectively. Senate Joint Resolution 103, Daniels, that we extend the reporting date of the Joint Committee of Small Bail Reform, an Amendment created by the Senate Joint Resolution 98, be extended to June 29. House Resolution 1033, Reverend Kenneth Worthman will celebrate the 30th anniversary of his ordination into the ministry on July 1st. House Resolution 1034, Miller - Woodyard - Stuffle, the E. Jenison editor and publisher of the Paris Beacon-News and former Member of this body was recently honored for his more than 50 years of service to the newspaper industry and his community by the United Annual Press International Illinois Association meeting. House Resolution 1035, Collins and Leinenweber, whereas Martin Patrick Gleason will celebrate the occasion of his ninetieth birthday on June 26, 1982. House Resolution 1036 by Bowman, that we congratulate the Ethnic...Ethical Humanist Society of Chicago on the occasion of its 100th anniversary celebration November 13 and 14, 1982 at the Orrington Hotel in Evanston. House Resolution 1037, Bowman - et al, whereas it has come to the attention of this House the Village of Edgewood will be celebrating the occasion of 125th birthday celebration on July 3rd and 4th of this

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year, and it has a population of 500 people. House Resolution 1038, Zito - Leverenz, whereas 1982 marks the centennial year of the Village of Melrose Park, an occasion which is cele...which its citizens can reflect on all that has been accomplished since its incorporation...since its incorporation. House Joint Resolution (sic - House Resolution) 1039, O'Connell and Leverenz, has revealed that the Illinois receives only 70 cents back in federal funds for each dollar in taxes it sends to Washington, so it's memorializing Washington that we urge Congress to adopt more equitable criteria for distribution of federal revenue in order to reduce the discrimination between the various regions of the country. House Resolution by Yourell, 1040, whereas Mrs. Florence Welch of Oak Lawn, Illinois was recently named to the Chicago Senior Citizens Hall of Fame, 1982. House Resolution 1034 (sic - 1041) by Wikoff, the Order of the Arrow service organization...House Resolution 1034 (sic - 1041), Wikoff, that we congratulate all members of the lodges and section of EC-3B Order of Arrow for having been selected to serve in the fine organization. We commend each of these scouts for his invaluable cheerful service to the community. That organization is an Order of the Arrow, is a Boy Scouts group. House Resolution 1042, Neff, whereas the people of Kirkwood are having an appreciation day on July 10th for Dr. Joseph Simmons, an excellent doctor, a model citizen, a loving husband and father and a remarkable human being. Mr. Speaker, Ladies and Gentlemen of the House, I move for the adoption of the Resolutions, the Agreed Resolutions."

Speaker Daniels: "Heard the Gentleman Motion. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Agreed Resolutions, adopted. Death Resolution."

Clerk Leone: "House Resolution 1032, Jaffe - Greiman - et al. In

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respect to the memory of Seymour Scheffres."

Speaker Daniels: "Gentleman, Mr. Conti, moves the adoption of the Death Resolution. All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Death Resolution, adopted. General Resolutions."

Clerk Leone: "House Resolution 1043, McGrew."

Speaker Daniels: "Committee on Assignments. ...Telcser. Excuse me, Sir. Excuse me. Representative Mays, for what purpose do you rise, Sir?"

Mays: "Yes, Mr. Speaker, did I understand you correctly in saying that Amendment 10 adopted on Senate Bill 1503 was in order, and Amendment..."

Speaker Daniels: "10 was adopted. 11 is out of order."

Mays: "Well, then, Mr. Speaker, I would request that, pursuant to Rule 34(d), we move that to Second Reading, First Legislative Day. It changes the title of the Bill in Amendment #10 from the original Bill, which had language in it in lines 2, 3 and 4 on page one amending an Act creating the Department of Veterans Affairs."

Speaker Daniels: "Well, Representative Mays, the Bill is still on Second Reading, and subsequent Amendments that we may act on when the Bill is called on Second Reading could delete that. So, your Motion, although it may be in order later - tomorrow, the next day - and we will recognize you if you wish to put that Motion. It's a little untimely right now."

Mays: "Okay."

Speaker Daniels: "You're welcome, Sir. Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, giving the Clerk about five or ten minutes for perfunctory time, I now move the House stand adjourned until 10:00 o'clock tomorrow morning."

Speaker Daniels: "You've heard the Gentleman's Motion. All in

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favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The House will stand adjourned until 10:00 o'clock tomorrow."

Clerk O'Brien: "Committee Reports. Representative Pullen, Chairman of the Committee on Executive to which the following Resolutions were referred, action take June 24, 1982, reported the same back with the following recommendations: 'be adopted' House Resolutions 982, Senate Joint Resolution 70, Senate Joint Resolution 76; 'be adopted as amended' Senate Joint Resolution 72. Message from the Senate from Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate concurred with the House in adoption of the following Joint Resolution, to wit: House Joint Resolution #94, concurred in by the Senate June 24, 1982.' Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate concurred with the House of Representatives in passage of Bills with the following title, to wit: House Bills #1882, 1913, 1925, 1938, 1992, 2044, 2079, 2095, 2116, 2126, 2135, 2175, 2234, 2262, 2266, 2276, 2285, 2286, 2310, 2357, 2391, 2417, 2430 and 2504 together with Amendments, passed by the Senate as amended June 24, 1982.' Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate concurred with the House in passage of Bills with the following titles, to wit: House Bills #1623, 2125, 2091, 2147, 2361, 2381, 2384, 2507, 2577 and 2588; passed by the Senate June 24, 1982.' Kenneth Wright, Secretary. Introduction and First Reading of Bills. House Bill 2656, McGrew, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the

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Bill. No further business. The House now stands  
adjourned."

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