

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

58th Legislative Day

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Speaker Greiman: "The hour of 12:00 having arrived, the House will be in Session. Members will be in their seats. Those not entitled to the floor will withdraw. The Chaplain for today will be Rabbi Stephen F. Moch, of Temple B'Rith Sholom of Springfield. Rabbi Moch is the guest of Representative Michael Curran. The guests in the gallery may wish to rise and join us in the invocation. Rabbi."

Rabbi Moch: "In the Bible we read about an incident with the Nation of Amalak, an evil nation of the enemies of Israel, and these people preyed upon the weak and the old stragglers amongst the community who couldn't keep up with the rest. The Nation of Israel took up the challenge to fight these terrible enemies of society and they did pitch battle with them. Moses stood upon the top of the hill and held his hands up and whenever his hands were held high, the people would win, and then as his arms grew tired and they fell, the people would lose. And the Rabbis of old tell us that what was really making the battle be won or lost was that as Moses held his hands up, the people would look up, and they would think about that Divine Inspiration and duty from God to build a better world and that would make them win against these terrible enemies of society. The Members of this great House come here from all parts of the State of Illinois to represent the people and to protect them from the enemies of society, from hunger, from hopelessness and disease, from ignorance. These enemies prey upon the people of our state, upon the weak, the elderly, the sick no less than Amalek preyed upon the Israelites in the desert. We pray, of God, that you will enervate these Representatives with Your Spirit for the battle they fight is one against enemies which are far less tangible. We pray that as they think of You they will

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always hold these enemies before them and do pitched battle that no Israelite, no Member of this great State of Illinois, no citizen will ever stand alone in the battles that they fight. Amen."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm, to lead us in the Pledge."

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

Speaker Greiman: "Roll Call for Attendance. Yes, Mr. Matijevich, are there any excused absences on the Democratic side?"

Matijevich: "Yes, Mr. Speaker, let the record reflect the excused absence of Representative Preston due to a death in the family. The excused absence of Representative Hyvetter Youngue due to business and she will be here later today."

Speaker Greiman: "Let the record so reflect. Mr. Piel, are there excused absences on the Republican side?"

Piel: "Yes, Mr. Speaker, will the record show that Representative McAuliffe, Representative Harris, Representative Slater, Representative Myron Olson and Representative Fred Tuerk are excused today."

Speaker Greiman: "Let the record so reflect, then. Mr. Clerk, take the record. All Members having answered to the Call of the Quorum, a quorum is present. Consent Calendar Second Reading."

Clerk O'Brien: "Consent Calendar Second Reading Second Day. House Bill 25, a Bill for an Act to amend the Bees and Apiaries Act. Second Reading of the Bill. Senate Bill 25. Senate Bill 54, a Bill for an Act to amend an Act in relation to the definition of various food products. Second Reading of the Bill. Senate Bill 68, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of

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the Bill. Senate Bill 140, a Bill for an Act to enlarge the corporate limits of the Metropolitan Sanitary District of Greater Chicago. Second Reading of the Bill. Senate Bill 158, a Bill for an Act to amend the Alcoholism Treatment Licensing Act, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 162, a Bill for an Act to establish the Military and Naval Code of the State of Illinois. Second Reading of the Bill. Senate Bill 224, a Bill for an Act to amend the Land Trust Disclosure Act, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 247, a Bill for an Act to amend the Vital Records Act. Second Reading of the Bill. Senate Bill 264, a Bill for an Act in relation to State's monies. Second Reading of the Bill. Senate Bill 372, a Bill for an Act relating to headsets for drivers of certain vehicles. Second Reading of the Bill. Senate Bill 377, a Bill for an Act to amend the Illinois Farm Development Act. Second Reading of the Bill. Senate Bill 421, a Bill for an Act to amend the Illinois Farm Development Act. Second Reading of the Bill. Senate Bill 457, a Bill for an Act in relation to training institutes. Second Reading of the Bill. Senate Bill 539, a Bill for an Act to amend the Vehicle Code. Second Reading of the Bill. Senate Bill 545, a Bill for an Act to amend the Meat and Poultry Inspection Act. Second Reading of the Bill. Senate Bill 759, a Bill for an Act to amend the Illinois Public Aid Code, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 776, a Bill for an Act to amend and repeal certain Sections of the Illinois Blood Bank Act. Second Reading of the Bill. Senate Bill 788, a Bill for an Act to amend the Soybean Marketing Act. Second Reading of the Bill. Senate Bill 789, a Bill for an Act to amend the Soybean Marketing Act. Second Reading of

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the Bill. Senate Bill 834, a Bill for an Act to amend the County Cooperative Extension Law. Second Reading of the Bill. Senate Bill 908, a Bill for an Act to amend an Act to revise the law in relation to recorders. Second Reading of the Bill. Senate Bill 917, a Bill for an Act to amend the Illinois Seed Law, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 928, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. Senate Bill 1046, a Bill for an Act to amend an Act relating to rental-purchase agreements. Second Reading of the Bill. Senate Bill 1172, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. Senate Bill 1183, a Bill for an Act to amend the Illinois Health Facilities Authority Act. Second Reading of the Bill. Senate Bill 1290, a Bill for an Act in relation to compensation of the Members of the General Assembly. Second Reading of the Bill. Senate Bill 1454, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. Senate Bill 1467, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Senate Bill 1494, a Bill for an Act to amend the Timber Buyers Licensing Act. Second Reading of the Bill."

Speaker Greiman: "With respect to the Consent Calendar Second Reading. Third Reading. For what purpose does the Gentleman from Cook, Mr. Steczo, seek recognition?"

Steczko: "Thank you, Mr. Speaker. Inadvertently, Senate Bills 152 and 359 were not posted for hearing in the full Cities and Villages Committee today at 3:00, and I would now move to suspend the posting rules to allow those Bills to be heard. It's been cleared with the Minority Spokesman."

Speaker Greiman: "The Gentleman asks leave to suspend the posting requirements with respect to those Bills using the

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Attendance Roll Call. Is there leave? Leave is... Yes, Mr. Piel."

Piel: "Could I clarify... is that... did I hear you say that it had been cleared with Minority Spokesman on the Committee?"

Steczo: "Yes, it has."

Piel: "Fine. Thank you very much."

Speaker Greiman: "The Gentleman indicates that it had been. Alright. So, is there leave to use the Attendance Roll Call? Leave is granted and the posting requirements are waived with respect to those two Bills. For what purpose does the Gentleman from Cook, Mr. Keane, seek recognition?"

Keane: "Thank you, Mr. Speaker. I would ask leave to waive the posting requirements for Senate Bill 520 and Senate Bill 521. I've discussed this with the Spokesman, Minority Spokesman, and there's no problem."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, asks leave of the House to use the Attendance Roll Call to waive the posting requirements with respect to those Bills. There being no objection, with use of the Attendance Roll Call, leave is granted and posting requirements are waived. For what purpose does the Lady from Sangamon, Ms. Hasara, seek recognition?"

Hasara: "Thank you, Mr. Speaker. I would like to move to waive the posting requirements on Senate Bill 1157, Senate Joint Resolution 49 and Senate Bill 36. The first two were not assigned to their Committees until last Thursday."

Speaker Greiman: "And what Committees are those... "

Hasara: "Election Law, Senate Bill 1157, Senate Joint Resolution 49, Aging, Senate Bill 36, the Executive Committee. I have spoken to the Chairman of the Executive Committee. That was to be reposted and it was simply left off."

Speaker Greiman: "Well... and the other Committees?"

Hasara: "The Chairmen weren't here, Mr. Speaker."

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Speaker Greiman: "Well, why don't you hold that one, then, if you have... "

Hasara: "Okay. Fine."

Speaker Greiman: "So you're making the Motion to which of those items, Ms. Hasara?"

Hasara: "Senate Bill 36 has been cleared with the Chairman. The other two I'm waiting."

Speaker Greiman: "Senate Bill 36 with respect to the Committee on... the Executive Committee?"

Hasara: "Yes."

Speaker Greiman: "The Lady asks leave to waive the posting requirements with respect to Senate Bill 36 so that that Bill may be heard in the Executive Committee. The Gentleman... the Lady has leave to use the Attendance Roll Call and the posting requirements are waived."

Hasara: "Thank you, Mr. Chairman."

Speaker Greiman: "Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Yes, thank you, Mr. Speaker. I have a similar Motion with respect to a Senate Bill 194. This Bill is in the Judiciary I Committee. It was posted for last week. It simply wasn't called. It was the policy, I understand, of the Committee to repost all the Bills that were not... that were posted last week, for this week, that weren't called. For some reason it was not posted, so I would move to waive the posting requirements for Senate Bill 194."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves to waive the posting requirements for Senate Bill 194 in the Judiciary I Committee. There being no objection, use of the Attendance Roll Call, leave is granted and the posting requirements are waived. For what purpose does the Lady from Kane, Ms. Deuchler, seek recognition?"

Deuchler: "Mr. Speaker, I move to suspend the posting

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requirements so that Senate Bill 1142 can be heard this week in Human Services."

Speaker Greiman: "Yes. That Bill was just heard in the Rules Committee?"

Deuchler: "Yes."

Speaker Greiman: "Alright, fine. The Lady asks leave to suspend the posting rules with respect to Senate Bill 1142 so that that Bill may be heard in the Committee on Human Services this week. There being no objection, use of the Attendance Roll Call and leave is granted and the posting requirements are waived. For what purpose does the Gentleman from St. Clair, Mr. Flinn, seek recognition?"

Flinn: "Mr. Speaker, I would ask leave to have the posting rule waived so that the Financial Institutions Committee can hear House (sic - Senate) Bill 445 this afternoon. We did not receive possession of that Bill in time to post it in the six and a half... "

Speaker Greiman: "Senate... Senate Bill, Mr. Flinn, is that correct?"

Flinn: "Senate Bill, I'm sorry."

Speaker Greiman: "Yes. Alright."

Flinn: "Senate Bill 445."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, asks leave of the House to waive the posting requirements with respect to Senate Bill 445 so that that Bill may be heard in the Committee on Financial Institutions. Is there leave? There being no objection, use of the Attendance Roll Call, and the posting rules are waived. Mr. White, for what purpose do you seek recognition?"

White: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to suspend the appropriate rule so that two Bills will be... could be heard in the Human Services Committee at 4:00 today. Senate Resolution 40 and Senate Bill 111.

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Senate Resolution 40... "

Speaker Greiman: "The Gentleman asks leave of the House, using the Attendance Roll Call, to waive the posting requirements with respect to those two items. There being no objection, use of the Attendance Roll Call is granted, and the posting requirements are waived. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolutions 64, offered by Representative Hensel; Senate Joint Resolution 63, by Representative Parke; House Joint Resolution 89, by Representative Hasara; House Joint Resolution 91, by Hultgren; House Joint Resolution 92, W. Peterson; House Resolution 503, Churchill; 504, Madigan - Daley - Kraska; 505, Matijevich, et al.; 506, Matijevich, et al.; 508, Matijevich, et al.; 509, Hartke; 510, Stern; 511, Martinez; 512, Deuchler, et al."

Speaker Greiman: "The Chair recognizes the Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. We have looked at the Resolutions. They are agreed to and I move the adoption of the Agreed Resolutions."

Speaker Greiman: "The question is, 'Shall the Resolutions be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 88, offered by Representative Currie."

Speaker Greiman: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Joint Resolution 90, offered by Representative Cultgren, Hultgren, with respect to the memory of Charles R. Pickrel. House Resolution 502, offered by Representative Tuerk, with respect to the memory of Lester C. Gerber. House Resolution 509 (sic - 507), offered by Representative Matijevich, et al., with respect

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to the memory of Adam Henry Schmidt."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, moves for the adoption of Death Resolutions. Those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Resolutions are adopted. On page 2 of the Calendar on the Order of Senate Bills Third Reading appears Senate Bill 38. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 38, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Senate Bill 38 would modify the Code of Criminal Procedure to allow Motions made within 30 days of a post trial nature to be effective whether or not they are decided within that 30 day period after conviction. Current law has been construed to require the court to act within 30 days, not merely to have the Motion on file. I was always under the impression that this was current law and was surprised to find out to the contrary. I don't think it's controversial. It tolls the 30 day limit as long as the Motion is filed within that time. The court should then act as soon as it can thereafter. I move its passage."

Speaker Greiman: "The Gentleman from DuPage moves for the passage of House Bill 38, Senate Bill 38, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye'. Those opposed vote 'no', and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills Third Reading appears Senate Bill 65.

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Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 65, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 65 was amended in Committee to include a House Bill that passed out of the Judiciary Committee unanimously, but was not called on Third Reading. So I'll start with the original Senate Bill 65, which was sponsored by Senator Keats. Current law... first of all this deals with the issue of the secrecy of grand jury proceedings and the purpose of the Bill is to specifically set forth the circumstances under which a state's attorney can disclose information obtained through grand jury proceedings. The purpose of the Bill is to tighten up the secrecy of grand jury deliberations. I would say, for purposes of legislative intent, that this Bill also applies to assistant attorney generals and attorney general, who utilize the state's attorney's grand jury proceedings. The current law states that matters, other than the deliberations and the vote of any grand jury, may be disclosed by the state's attorney solely in the performance of his duties. That is considered to be fairly vague language, and broad and it will be replaced with language that says that 'shall not be disclosed by the state's attorney except as otherwise provided for in Section C.', and Section C goes on to allow... specifically say that 'disclosures would be allowed to another state's attorney in the performance of their duty, to governmental personnel necessary to carry out the state's attorney's duty to enforce the state law, or to maintain the court's current authority to allow disclosure in the interest of justice. So, this does replace some vague language. The language

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that it replaces is patterned after the Federal Rule 6(e)-2 and 3. The second Bill, which was, as I said, a House Bill that passed unanimously out of Committee, reduces the number of persons on a grand jury from 23 to 16 and requires only 12 to make a quorum, rather than 16. It reduces from 12 to 9 the number of grand jurors that must concur before there would be an indictment, and it reduces from 11 to 8 the number of grand jurors necessary to have an investigation appointed by the court. The purpose of this Bill, quite frankly, is just to save some money and to recognize the fact that the traditional purposes of a grand jury have really eroded and that with the use of the information, the grand juries just simply aren't called into play as much, and so to reduce numbers from 23 to 16 will simply save some money for the counties that have to pay these grand jurors to serve. I'd be happy to answer any questions and I'd appreciate a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the passage of Senate Bill 65, and on that, the Gentleman from DeKalb, Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, will the Gentleman yield?"

Speaker Greiman: "He indicates he will yield for questions."

Countryman: "Representative Cullerton, let's see, right now does it take 16 people to return a true Bill? A vote of 16 by a grand jury?"

Cullerton: "The... right now you need 12. You need 16 for a quorum, right now. You need 12 votes to indict. This would reduce it to 9."

Countryman: "Alright. So now, under this proposed legislation, it would be down to 9 to return the true Bill. Is that right? Nine out of 16?"

Cullerton: "Right."

Countryman: "I supported this Bill in Committee, and I still

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support it, but I think my only concern is that we make sure enough people show up so that they know what's happening. Sometimes these grand jury proceedings go on and some of the jurors don't show up every day. Do you think that that's a problem by reducing the number?"

Cullerton: "Well, you still need 12 to have a quorum, so..."

Countryman: "So there have to be 12 there even if only 9 vote for the true Bill. Is that right?"

Cullerton: "Right. And, you know, you must remember, as a practical matter, I think there'd be very few... very few votes of a grand jury that are less than unanimous. We don't know, because it's secret, but I think you could talk to some state's attorneys. I've never been in a grand jury, so I don't know, but I... I would assume if you talked to some state's attorneys, they'd say that pretty much, they have their way there."

Countryman: "Well, I've never been in a grand jury, either. Maybe you and I have been on the wrong side of all of this all these years, but I guess we have to assume that they will do the right thing and I support the Bill."

Cullerton: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye'. Those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', 1 voting 'no', none voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business appears House Bill 95. Mr. Clerk, read the Bill. Mr. Homer, did you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 95, a Bill for an Act to amend the

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Energy and Assistance Act. Third Reading of the Bill."

Homer: "Thank you, Mr. Speaker. Senate Bill 95 is identical to House Bill 393, which passed out of the House a few weeks ago. It amends the Energy Assistance Act so as to shift the funding mechanism for the implementation of Section 7 of the Energy Assistance Act, being the weatherization and conservation component, from the inclusion in the rate base of the public utilities to federal and state funds that are earmarked specifically for weatherization and conservation, such as the Exxon Oil overcharge funds and similar kinds of funds that are made available to the State of Illinois for these purposes. The Bill also would take the administration responsibilities of the Bill out of the Illinois Commerce Commission and the public utilities and place it in the Department of Commerce and Community Affairs, which already administers a similar kind of program, and I would, at this time, I think, rather than further amplify on the Bill, Mr. Speaker, since it has been fully debated and discussed in this chamber so recently, simply stop at this time and invite any questions. Thank you."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer, moves for the passage of House Bill 9... Senate Bill 95, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 90 voting 'aye', 18 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 116. Mr. Clerk, read the Bill. Well, out of the record.

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Okay, alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "House (sic - Senate) Bill 116, a Bill for an Act to amend an Act to revise the law in relation to criminal jurisprudence. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Parcells."

Parcells: "Thank you, Mr. Speaker. This Bill provides that the assessment of costs against the defendant shall include expenses incurred by the Sheriff in serving an arrest... "

Speaker Greiman: "Yes, excuse me. Mr. Tate, for what purpose do you seek recognition?"

Tate: "Thank you, Mr. Speaker. If my eyes aren't deceiving me, the last Roll Call that was taken, the vote was 90 to 18 and 2 voting 'present'. Is that correct? If that is the case, that means that there were 120 Members voting. You're right."

Speaker Greiman: "90 voting... "

Tate: "You're right. You're right."

Speaker Greiman: "... 'aye', 18 voting 'no',... "

Tate: "Okay."

Speaker Greiman: "... 2 voting 'present', and 8 voting 'absent'. Now, we will provide some instruction in mathematics as part of the Education Reform Bill. Thank you, Mr. Tate. And now, Ms. Parcells."

Parcells: "Thank you, Mr. Speaker, and Mr. Tate. The reason that this Bill is a necessity is there was not statutory authorization before to charge this against the convicted person, and this will cover the... that that assessment can be charged, for the costs of the Sheriff, to the convicted person, and I would move for its passage."

Speaker Greiman: "The Lady from Cook, Ms. Parcells, moves for the passage of House... Senate Bill 116, and on that, the Gentleman from Fulton, Mr. Homer."

Homer: "Speaker, I'm actually not rising on this Bill, but I

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would like to make a point in response to the last speaker who... who tabulated the vote. I think a lot of us were wondering how the Governor's Budget proposals were being interpreted so differently than our own experts and then we find that the spokesman for the Appropriations Committee doesn't know... can't add the difference between 110 and 120, and it's starting to become a lot clearer how this confusion has arisen over here. So, thank you very much."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "I'd just like to note that the Appropriations spokesman, when he's in that Committee, uses a calculator."

Speaker Greiman: "The Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker. In regards to the Bill, I apologize. There was so much noise I couldn't quite hear the explanation. Could the Sponsor explain the Bill again?"

Speaker Greiman: "Ms. Parcels?"

Parcels: "I'll be happy to explain the Bill again. It provides that the assessment of costs against a defendant shall include expenses incurred by the Sheriff in serving an arrest warrant and in picking up the defendant from another county or from out of state. This has been assumed in the past, but this Bill was created to provide the statutory authorization necessary to charge the defendant for those costs incurred. It was suggested by a judge who noted that in another case \$1,107.00 of a \$1,271.00 assessment were for those costs, and this would assess that cost against the defendant. And it's limited to reasonable costs."

Young: "Okay. This is in response to an Appellate Court ruling, isn't it? This Bill?"

Parcels: "Yes, it is."

Young: "And that Appellate Court ruled that, in fact, the state was not entitled to collect these costs, didn't they?"

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Parcells: "Yes."

Young: "Okay, so this Bill is really trying to overturn an Appellate Court decision in the Fourth District, isn't it?"

Parcells: "Yes."

Young: "To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. This is an issue that has been litigated, it's been in the courts. The Fourth District Appellate Court has recently ruled that these are the kind of costs that cannot be collected by the state. I think we're trying to impede again... once again, on the province of the courts with this Bill. A similar Bill... House Bill, was held in Committee, and I would urge a 'no' vote."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. The fact of the matter is, the Fourth District Court was merely construing the language of the Statute to determine whether or not these types of costs were reimbursable pursuant to that Statute. It concluded that they were not costs reimbursable within the meaning of the Statute. It didn't pass judgment on whether it was a good idea or not to have it within the Statute, and I submit to you that it's a proper public policy question for us to consider at this time. The fact of the matter is, when the Sheriff has to go outside of his jurisdiction to serve a warrant or to bring back a prisoner, there are expenses involved. Travel expenses, lodging, meals if the person has to stay overnight. So it is up to us, and very properly so, whether this constitutes sound public policy. This will only be imposed as a part of the court costs if the person is convicted, not if he is not convicted, and I submit to you that it is reasonable, particularly with the Amendment, which limits the assessment to reasonable costs, and I stand in support of it."

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Speaker Greiman: "Further discussion? There being none, the Lady from Cook, Ms. Parcells, to close."

Parcells: "Thank you, Mr. Speaker. This is a good Bill. This will help the courts to put the costs where they belong, as the previous speaker mentioned, these would not be charged against a defendant if he was not convicted. If he or she is convicted, those costs should rightfully be paid by that person. They will not be anything but reasonable costs, and I think it would be a good way to save money of the court costs to the state, and I ask for your affirmative vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 95 voting 'aye', 8 voting 'no', 7 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 126. Mr. Clerk, read the Bill."

Clerk O'Brien: "House (sic - Senate) Bill 126, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. Senate Bill."

Speaker Greiman: "Mr. Cullerton? Out of the record. On this Order appears House (sic - Senate) Bill 201. Mr. Clerk, read the Bill."

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

Speaker Greiman: "Well, wait. Excuse me, Mr. Clerk. Mr. Homer? Is Mr. Homer in the chamber? Alright, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 201, a Bill for an Act to amend the Illinois Controlled Substances Act. Third Reading of the

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Bill."

Homer: "Thank you, Mr. Speaker. This Bill would reclassify the controlled substance, Alfentanil, from it's current classification as a Class I controlled substance to a Class II controlled substance, which would make it, therefore, possible for it to be used in the performance of surgical procedures as an anesthetic. The Federal Drug Administration has recently taken similar action at the Federal level, and in order for us to conform Illinois Statutes to that of the FDA recommendation... reclassification, it's necessary for us to pass this legislation. I would urge your support."

Speaker Greiman: "The Gentleman from Fulton moves for the passage of House (sic - Senate) Bill 201, and on that, is there any discussion? The Gentleman from Cook, Mr. Huff."

Huff: "Will the Sponsor yield?"

Speaker Greiman: "He indicates he will."

Huff: "My God, Homer. Please, man, explain, what is Alfentanil? What is that?"

Homer: "Explain what? Would you repeat that please?"

Huff: "What is alfentanil?"

Homer: "It's a... it's a substance that's... that only has one use, one medicinal use, and that's as an anesthetic. It's a new form of anesthetic that apparently is much safer to use and wears off much more quickly and has much less of a side effect and so the FDA has signed off on it and the only way we can use it in Illinois Hospitals is for us to take it from a Class I controlled substance and make it a Class II controlled substance."

Huff: "Why? Can it be used illegally? Will it get you high? Is that the reason?"

Homer: "Not that I know of, but then I'm no expert on using this drug."

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Huff: "We should... we need to check it out."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye'. Those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have... all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 601. Mr. Levin, did you wish to proceed? Out of the record. Now on page 2 of the Calendar on the Order of Senate Bills Third Reading Short Debate appears Senate Bill 159. Mr. Levin. Is Mr. Levin in the chamber? Out of the record. On this Order appears Senate Bill 301, Mr. Novak. Mr. Novak? Is Mr. Novak in the chamber? Committee Reports."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 14 the following Bills have been ruled exempt on June 9, 1987: Senate Bills 302 and Senate Bill 1142, John Matijevich, Chairman."

Speaker Greiman: "Ms. Hasara, for what purpose do you seek recognition?"

Hasara: "Thank you, Mr. Speaker. I have spoken with the Chairman of the Election Law and Aging Committees and with their permission, would like to waive the posting requirements for Senate Bill 1157 and Senate Joint Resolution 49."

Speaker Greiman: "The Lady asks leave of the House, using the Attendance Roll Call, to waive the posting requirements with respect to those Bills. There being no objection, leave is granted. The use of the Attendance Roll Call, and the posing requirements are waived. Are there any further announcements? Ladies and Gentlemen, we are preparing to

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adjourn. Yes, Mr. Mulcahey."

Mulcahey: "Yes, thank you, Mr. Speaker. I'd like to waive the posting rules so that House... Senate Bill 12... 1273 can be heard in Elementary and Secondary Education tomorrow."

Speaker Greiman: "The Gentleman asks leave to waive the posting requirements with respect to... what's the number of that Bill, Mr. Mulcahey?"

Mulcahey: "1273."

Speaker Greiman: "... 1273 may be heard in the Committee on Elementary Education. Ms. Cowlshaw? There being no objection, leave to use the Attendance Roll Call. Posting requirements are waived. Mr. Giglio, for what purpose do you seek recognition?"

Giglio: "Mr. Speaker, I talked to the Chairman of Counties and Townships and the Minority Spokesman. Inadvertently, House Bill 2292 was tabled instead of put in Interim Study and I would like to take it from the table and put it in Interim Study. House Bill 2292."

Speaker Greiman: "The Gentleman asks leave to take House Bill 2220 from the table... "

Giglio: "2292."

Speaker Greiman: "I'm sorry. 2292 from the table and place it on the Interim Study Calendar of what Committee? The Committee on... "

Giglio: "Counties and Townships."

Speaker Greiman: "... on Counties and Townships. Leave to use the Attendance Roll Call. Ms. Currie."

Currie: "Thank you, Mr. Speaker. I'd like leave to do the same Motion with respect to House Bill 1374, but the Interim Study Calendar of the House State Government Administration Committee."

Speaker Greiman: "The Lady asks leave to place Senate Bill 1374 from the table... House Bill from the table and place it on

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the Interim Study Calendar of the State Government Administration Committee. Leave is granted. Leave is granted using the Attendance Roll Call. Mr. White, for what purpose do you seek recognition?"

White: "Mr. Speaker, Ladies and Gentlemen of the House. I'd like to have leave to hear House Resolution 425 in the Human Services Committee this afternoon at 4:00."

Speaker Greiman: "The Gentleman asks... from Cook, Mr. White, asks leave to suspend House Resolution... the posting requirements with respect to House Resolution 425. Leave to use the Attendance Roll Call and suspend the posting requirement is granted and it is so waived. Are there further announcements? Ladies and Gentlemen, we are now about to adjourn for the day. Mr. Young."

Young: "Thank you, Mr. Speaker. I would request leave of the Body to waive the posting requirement and have Senate Bill 1121 posted and heard in Revenue tomorrow."

Speaker Greiman: "The Gentleman asks leave to hear... to waive the posting requirements with respect to House Bill... Senate Bill, is that 1121? So that the Bill may be heard in Revenue tomorrow. There being no objection, use of the Attendance Roll Call to waive the posting requirements with respect to that Bill. Alright. There being no further business, the Chair recognizes the Gentleman from Madison, Mr. McPike. Mr. McPike moves that the House stand adjourned until the hour of 12:00 noon tomorrow, and on that all those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it, and the House does stand adjourned until the hour of 12:00 noon tomorrow."

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10:03

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