

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

142nd Legislative Day

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Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield. Guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Crawford: "Let us pray. Most gracious and most sovereign God, king of glory, Lord of us all, and above us. For there is none like You. Father, we greatly appreciate Your sovereign grace and Your tender mercy being upon our lives. For it is because of Your mercy that we have not been consumed. For that, thank You for loving us in despite of who we are. So, we kindly bless You because You have so richly blessed us. This we kindly ask and pray in Your Son's name. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hartke."

Hartke - 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 Madigan: "Roll Call for Attendance. Mr. Bost."

Bost: "Thank you, Mr. Speaker. I would like the record to reflect that all Republicans are present today."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that we have no excused absences to report today."

Speaker Madigan: "Mr. Clerk, take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Introduction to Resolutions. Senate Joint Resolution 69, offered by Representative Holbrook, is

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assigned to the Rules Committee. Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Sunday, June 2, 2002, reported the same back with the following recommendation/s: 'be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 2381."

Speaker Madigan: "On the Order of Concurrence there appears House Bill 4680. Mr. Fritchey. 4680."

Fritchey: "Thank you, Speaker. Senate Amendment 1 to House Bill 4680 is an initiative of Senator Kirk Dillard. It attempts to implement a solicitation ban by state employees with especially... oversight and makes some clarifications to the Gift Ban Act. I request a favorable vote. Thank you."

Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 4680. The Chair recognizes Mr. Cross."

Cross: "Thank you, Mr. Speaker. Will the Sponsor yield for just a couple of questions?"

Speaker Madigan: "Sponsor yields."

Cross: "Representative, I understand there... several prov... at least one provision dealing with the issue of value or the definition of 'nominal value'. Is that correct with respect to the gifts?"

Fritchey: "It set a value at \$100 for gifts under the Gift Ban Act as a limit."

Cross: "Is that \$100 over the course of a year or is it \$100 per prohibited source? Do you know how... can you give us an example, John, of what the Senate Sponsor meant, if you know?"

Fritchey: "My understanding is it's \$100 per calendar year."

Cross: "From the prohibited source, is that correct?"

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Fritchey: "That's correct."

Cross: "Okay, so the... this portion of the Ethics Bill is a cleanup of the... of the Ethics Bill that the Supreme Court just ruled on. Is that correct?"

Fritchey: "That specific portion, that's correct."

Cross: "All right. Now, there's some other portions of this Bill dealing with activity in campaigns, is that correct?"

Fritchey: "Yes."

Cross: "Do you mind, and I... it was a little chaotic earlier, John, I know you probably went over it. Could you briefly again explain to us what that... what those prohibitions are?"

Fritchey: "What this does is make an attempt to do what we've been trying to do for several years in this Body and that is create a disconnect between state inspectors and campaign fund raising solicitation. It would prohibit individuals from soliciting campaign contributions from individuals or entities over whom they have supervisory... supervisory or inspection capabilities. This is not admittedly in the form I wanted to see it in, but it is not that often that we're able to get ethics Bills coming from the other side and I think it's a good starting point."

Cross: "An inquiry of the Chair and the parliamentarian. If I could inquire as to whether or not this preempts Home Rule? And if so, do we need 71 votes, given the fact that I understand it does apply to municipalities? Well, it depends on the effective date, if I'm not mistaken. I appreciate the help from the other parliamentarians on the floor. I don't know what the effective date is. Jeff (sic-John) Fritchey, can you see... you can see who's at... Where I am with..."

Fritchey: "Would you repeat the question, Tom? I'm sorry."

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Cross: "Pardon me?"

Fritchey: "I... can you please repeat the question?"

Cross: "Well, I had an inquiry of the parliamentarian with respect to the number of votes. Does this apply to local officials?"

Fritchey: "This would apply at the local level, as well. However, what it exempts is Legislators, ironically, as well as candidates for office."

Cross: "So, what can local employees or employees of local government not do, John?"

Fritchey: "What they may not do, specifically, is to receive a contribution solicited or received in violation of the Inspector Misconduct Act which now says, if you have oversight, if you have an inspection capability, if you have a regulatory capability over an individual you cannot solicit campaign contributions from them. You can't come in and say, 'Hi, I'm here to inspect your business. And by the way, my boss is having a fund raiser and how many tickets would you like?' We're trying to make sure that Illinois no longer has the reputation of being a pay-to-play state where somebody's business opportunity and business life hinges on whether or not they participate in the political process."

Cross: "So, if I was the chief of staff of the mayor of whatever city, I'm not gonna pick one, that chief of staff would... would be prohibited from soliciting campaign contributions?"

Fritchey: "Under this language right now, to the extent that they... that it was considered to be an executive branch constitutional officer or when we come down to the state level, if it's somebody that's directly under them, yes, they'd be covered, in my understanding."

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Cross: "All right. Well, and I just and I'm not trying to be tricky. I, just as an employee of the chief executive officer... officer it says, 'includes local government'."

Fritchey: "That's correct. It's now county, township, and municipal governments, as well."

Cross: "All right, let me ask you, what would be the penalty of, for instance... and I understand the attempt to cleanup the definition with respect to the \$100, John. What would happen in the event someone... what would be the penalty if for instance a prohibitive... if AARP came in and gave one of us three gifts over the.. over the period of a year and they equaled a hundred and twenty dollars in value. What would be the penalty in the event that happens for either the prohibitive source giving the gift and it may even be inadvertent, or the recipient of the gift?"

Fritchey: "If you give me second, I'll be thrilled to tell you that."

Cross: "I mean, if someone gave... I guess if someone gave a Legislator a shirt as a gift, a nice shirt, maybe this time of year, you're all out of clothes, a pink shirt. Would you be... and they did it two or three times over the course of the year, three pink shirts. Would that be prohibited? And what would be the penalty?"

Fritchey: "To the extent that those shirts were in excess of a total value of \$100, it'd be prohibited."

Cross: "Well, the other option is some are suggesting over here that you would just give the shirt back, especially, if you didn't like it."

Fritchey: "That's always an option."

Cross: "All right. But I... what would be the penalty? Is it a criminal penalty for someone to receive a gift more than a hundred dollars?"

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Fritchey: "Tom, I'm gonna tell ya, I haven't... when this came over... Well, one of the things it did that I've dealt with for a long time now was the solicitation misconduct. The Gift Ban Act was already in place. This maintains the same penalties as were covered under the... or provided for under the Gift Ban Act."

Cross: "John, let me just... and I know that..."

Fritchey: "Actually, Tom, I'm looking at another one of my notes here and I've got that it's a Class A misdemeanor."

Cross: "It would be a Class A misdemeanor."

Fritchey: "For the... I'm sorry, Tom, that's for the criminal provisions of the Act."

Cross: "All right. And John, I'm not... this is a... I think, a good, good part of the Bill. I'm not... my questions with respect to the money are not meant to be critical. I just, I think it's wise that they're doing this. I just want to make sure we're not causing a problem. I know other people have questions and I know we're trying to get out of here and what I want to do is I wanna... I appreciate and I wanna compliment you. Yesterday we had some dialogue in committee and as you know, we presented to the committee a rather extensive package dealing with ethics and I know it was the first time you'd seen it, but my understanding is that the two of us are willing to... we're gonna work together on that in a bipartisan way. It's something that I think in many ways we both agree needs... needs to be accomplished. It's a package that, as I said yesterday in committee, is rather sweeping and we've been working on it awhile. So, I just wanna say thank you for your offer. I don't know that we're gonna get it done today. This looks like the last day, hopefully it is. But I'm hopeful that over the course of the next few months we can work together

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on getting that Bill passed. So, I just... all I want to say is thank you for your comments yesterday and your offer."

Fritchey: "I appreciate your words and I look forward to working with you on this."

Cross: "All right. And Mr. Speaker, I am curious as to the needed votes on this."

Speaker Hartke: "Representative Hartke in the Chair. Our parliamentarian has an answer for you."

Parliamentarian Uhe: "Representative Cross, on behalf of the Speaker and in response to your inquiry, House Bill 4680 does not preempt Home Rule. However, it does have an immediate effective date and therefore will require 71 votes for passage."

Cross: "Okay, thank you."

Speaker Hartke: "The Chair recognizes Representative Lang."

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

Speaker Hartke: "Sponsor will yield."

Lang: "Thank you. Representative, I'd like to explore this Amendment with you in a similar way as we did in committee yesterday, because I think these issues should be aired for everyone on the floor. As I've noted, the newspaper commentary on this proposal they keep putting headlines on it saying, ethics package, ethics package. And you get the impression by reading the newspapers that this is a full and complete ethics package, but it really isn't, is it?"

Fritchey: "No, it's not."

Lang: "And I would like to explore with you the flaws in the Bill. And you indicated yesterday in committee that you're aware that this is flawed, that Senator Dillard's proposal that came over here has some serious problems with it, right?"

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Fritchey: "That's correct."

Lang: "And I wanna make sure that the Members know about those flaws. First, as I understand the proposal, it affects executive branch employees and it affects municipal employees, but it does not affect the General Assembly, the Members, or the employees, or the staff of the General Assembly in any way, shape, or form. Is that right?"

Fritchey: "Once again, you are absolutely correct."

Lang: "And when I asked you yesterday you indicated that you thought that was a flaw in this Bill. Do you still feel that way?"

Fritchey: "I do and it's funny you would ask. As we talked about during our discussion yesterday, sometimes you have to make do with what you get. This Body, under the Leadership of Speaker Madigan and Minority Leader Daniels passed a comprehensive ethics package over to the Senate. Actually, it was House Bill 1330. That vote... that Bill got almost the vote of every Member in here. Additionally, in 2001 we sent a solicitation misconduct ban to the Senate. Get a little bit quiet, Mr. Speaker."

Speaker Hartke: "Shhh."

Fritchey: "As we discussed in 1999, we sent campaign finance reform to the Senate. That Bill had a unanimous vote in the House, had bipartisan sponsorship in the Senate. It didn't get called. Going back to 1994, we have tried on this side to send ethics legislation and reform to the Senate only to have it die every time. Now, finally, the Senate in an interesting catch of timing here has decided to send something through saying that it's campaign finance reform. And they're trying to do it so they can lay claim after eight years to the fact that Illinois hasn't had ethics reform, that they want to be the ones to bring

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ethics reform to Illinois. As you know and as we discussed, as most people in this chamber know, they have not been the party of reform here. That has not been the chamber that's been interested in furthering reform..."

Speaker Hartke: "Excuse me, Mr. Fritchey. Ladies and Gentlemen, please, let's keep it down. This is a very intense piece of legislation. Shhh. Please."

Fritchey: "We have tried for a decade to do something meaningful in this chamber. For a decade those efforts have fallen on deaf ears across the way. This Bill, I think, is gonna pass out of this Body and it's gonna go to the Governor's desk and I'd be shocked if he didn't sign it. Nobody should make sure that they go to their district and tell their constituents that we've given them campaign finance reform. As you've pointed out, very intuitively here, there are a lot of holes in this Bill. There's problems in this Bill. There's shortcomings in this Bill. There's gaps in this Bill. There's loopholes you could drive an unlicensed truck through in this Bill. We are eight years, 50 indictments later, still trying to get campaign finance reform. This is the best we could get out of the Senate. It should be passed. It should be considered to be a baby step in the right direction, but this Bill is inherently flawed. You're correct."

Lang: "Well, there are certainly shortcomings and I agree that this Body has done all it could to pass meaningful reform. I wanna explore some of the other issues in this Bill with you, if I might. As I understand it, even to those that this applies to, even to those offices and officers that this applies to, this Bill only covers incumbents. Is that right?"

Fritchey: "You're absolutely correct."

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Lang: "So, if... if we assume it covers, let's say, the Comptroller's Office, a candidate for Comptroller who is not the Comptroller is not covered by this legislation."

Fritchey: "That is correct."

Lang: "But the incumbent Comptroller and his or her employees is covered by this. Is that correct?"

Fritchey: "The Comptroller would be covered. However, it's interesting that the Comptroller's covered because of his regulatory ability. There's one of the executive branch offices which arguably is not even covered by this."

Lang: "And that would be the Governor's Office, wouldn't it?"

Fritchey: "The Governor's Office still would not be covered in any way, shape, or form by those provisions of the Act."

Lang: "Now, I find that interesting because the Bill purports to cover all constitutional officers, doesn't it?"

Fritchey: "It does so."

Lang: "But then in the definition section of the Bill it talks about only constitutional officers that are involved in investigation and licensing and a couple of other things. Is that right?"

Fritchey: "That's correct. And..."

Lang: "And the Governor's Office doesn't do any of that, does it?"

Fritchey: "The Governor's Office has been determined not to fall in that definition."

Lang: "So, while someone like the Attorney General might be covered by this, the Governor is not covered by this legislation."

Fritchey: "I think it's arguable that the Governor's Office is the only constitutional office not covered by this."

Lang: "Now, relative to the definition of what an executive officer is, you heard in committee yesterday that I alluded

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to some concerns of the state's attorneys in Illinois who have been declared to be judicial officers in case law, not executive officers. You heard that, right?"

Fritchey: "Yes, I did."

Lang: "And so arguably, state's attorneys wouldn't be covered by this legislation either, would they?"

Fritchey: "That seems to be their contention in accordance with the reading of the court cases that are out there."

Lang: "One other area, if I might, relative to the gift ban. This Bill would put a \$100 limit on gifts from a single source, is that correct?"

Fritchey: "During a calendar year, that's correct."

Lang: "Now, while we, currently in the law, have exempt gifts there's nothing in this legislation to say it's a hundred dollars exclusive of the exempt gifts. I'm having difficulty understanding whether your Bill is talking about a hundred dollars in gifts from a single source in a twelve-month period total or exclusive of exempt gifts?"

Fritchey: "I... I think that it could be read to exclude the exempt gifts, but I think the way it's been drafted leaves a question mark and I don't know that's the best idea for all of us to be operating under a question mark. And Representative, if you'd give me the opportunity I would like to say for purposes of legislative intent that it is the intention that this not include exempt gifts. So any exempt gifts received pursuant to the other definitions in this Act would not be covered under this hundred dollar ban. This would be a \$100 limit on nonexempt gifts."

Lang: "So, your intent is to have a \$100 limit on nonexempt gifts and there... and there is no current limit on the exempt gifts under the current law. Is that correct?"

Fritchey: "That is correct and just for clarification there would

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be a nonexempt gift from a defined prohibited source and during a one calendar year period."

Lang: "Thank you. Mr. Speaker, to the Concurrence Motion."

Speaker Hartke: "To the Concurrence Motion."

Lang: "I plan to support the Gentleman's Motion, however, this is a seriously flawed piece of legislation. I don't think we can afford at this time in our state's history to be voting against anything that purports to be moving us forward even in small, flawed steps towards some sort of better ethics approach here, because the general public in our state has some grave concerns about the way we do our business here. So, I'm gonna support this. But I am very hopeful that the Governor when he signs it will take a look at it and figure out if there's a way to Amendatorily Veto it in a way that improves upon it. I'm also hopeful that at some point we can get our colleagues in the Senate to join Members of the House in crafting real ethics reform, the kind of ethics reform that both sides of the aisle in this chamber have moved forward with many times over the last several years. I support the Gentleman's Motion and I hope we can move toward a better package as we move forward. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Coles, Mr. Righter."

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

Speaker Hartke: "Sponsor will yield."

Righter: "Representative Fritchey, I know yesterday you spent a good deal of time in committee answering a lot of questions about this legislation and I know that I speak for my Republican colleagues when I say I appreciate your forthright answers. I have some other questions about the Bill. First, when it refers to local governments, that includes counties, correct?"

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Fritchey: "It includes counties and townships and municipalities.

That's correct."

Righter: "Now, but as previous speaker pointed out this has to do with the executive branch or executives, correct?"

Fritchey: "That's correct. It's an executive officer of a local government. So that could be a chairman or a president of a county board or commission, a mayor or village president, township supervisor, county executive, municipal manager, assessor, auditor, clerk, coroner, recorder, sheriff, or state's attorney and as you've heard there's been some dispute as to whether or not state's attorneys could actually be covered under this."

Righter: "Okay. Representative, in my home county, obviously, we... like all counties, I'm assuming, we have a chairman of the county board, but that chairman is not elected independently. He is not elected as the chairman. He is someone or she is someone who is elected to the county board and then the county board picks that chairman. Is there anything in the Bill that differentiate between someone who's elected as the chairman and someone who... by the people, as opposed to someone who is elected as a regular county board member and then elected to the duty of... duties of chair by the members of the board?"

Fritchey: "Under my reading of this, Representative, there is no distinction between the two. I'm looking at Section 33-3.2(b) which has the definitions. And while it seems to lay out what's included in a nonexhaustive manner, I don't see an exclusion if that appointment comes or if that position comes as a result of appointment as opposed to an election."

Righter: "Okay. The chairman or the chair of the county board in my home county has absolutely no duties that are different

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from the other eight members of the county board, but under this legislation that chair is going to be subject to this, while the other eight members of the county board are not?"

Fritchey: "To that provision, yes."

Righter: "To the provisions in this Bill?"

Fritchey: "To that specific provision, correct."

Righter: "Okay."

Fritchey: "And there are other provisions in which all members will be covered."

Righter: "Now, on... on... in kind of a similar area I want to talk a little bit about the municipality, the regulations on municipalities. Obviously, there are different forms of municipal government in Illinois. One of the towns in my district employs one that's not used that much anymore and that is the city commissioner form of government, where the mayor is elected the mayor, but that person doesn't have any powers above and beyond any of the other city commissioners. Will this legislation still treat the mayor differently than other commissioners, even though the powers that they have are no different?"

Fritchey: "The definition is such that it would include the mayor and not the other commissioners."

Righter: "Well, can you explain to me what you think might be the rationale then for regulating one of five people, when none of the duties are different between those five?"

Fritchey: "Well, when you come... I think part of this, too, is that it covers employees of these chief executors... executive officers as well and while there's not a rationale set forth in the legislation and in fact, you would need to speak more thoroughly to the Senate Sponsor than I have. I think they were looking to try to find individuals that may have a higher authority position and

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they haven't made a distinction if there's no difference in duties that there would be a difference in coverage."

Righter: "Okay. Is the... obviously, and even more so in your part of the state, Representative, than in mine the State's Attorneys Offices have many different assistants... and I'm assuming they differentiate upon level; senior assistant state's attorney and maybe chief executive state's attorney or whatever it might be. Would this legislation only cover the state's attorney? Would that include all of those people, also?"

Fritchey: "Well, there's provisions also that talks about the employees of chief executive officers of a local government and so it may be argued that they could be covered as an employee of the state's attorney..."

Righter: "Okay."

Fritchey: "... as opposed to the actual state's attorney himself or herself."

Righter: "Okay. Well, Representative, yesterday in committee you and Representative Cross had a discussion about perhaps looking at broadening this piece of legislation. I just wanna ask you if you are open to moving on a piece of legislation or discussing a piece of legislation on ethics reform that would not have many of the gaps that were pointed out by the previous speaker? Is that something you're willing to do?"

Fritchey: "As I said, I consider what we're doing and what we've done so far to be a floor not a ceiling, in the future of ethics in Illinois. I had a very good discussion with yourself and Representative Cross about working forward under a framework. I'll tell you right now I don't know that I agree with everything I've taken a look at in what you've submitted. Does it get us a lot further than where

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we are right now? Absolutely. And as this chamber's done before, I have a hunch that we'll be the ones taking the lead in ethics reform next year. And I'm hopeful, too, that working with yourself and the Representative from Oswego and your Leader on that side of the aisle and our Leader on this side of the aisle that we're gonna have a much better luck... a much better chance of getting ethics reform passed through the Senate next year than we have for the last ten years."

Righter: "Okay. Representative Fritchey, thank you very much. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Coulson."

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

Speaker Hartke: "Sponsor will yield."

Coulson: "Representative Fritchey, I just want to clarify some of the things I think I heard today. You said that the Legislature is not covered, the Governor's Office is not covered. Who is covered?"

Fritchey: "It would be the other executive officers. So, in this situation, Secretary of State, Treasurer, Comptroller, state employees that have inspection abilities and we'll keep in mind, state inspectors are not just at licensed facilities. They inspect day care centers, nursing homes, landfills, school buses. Virtually, every aspect of our life is touched by somebody... it was an inspection and investigative capabilities. Those are the people that we're looking at. Those are the people that have been the thrust of the problem. Those are the people that have led to a lot of the difficulties that we've had and the embarrassments that we've suffered as a political Body over the past several years. That's the main thrust of where

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we should be aiming. Are there loopholes in here? As I said, there's huge loopholes in here. It's a starting point. It helps get us going in the right direction. People in this state, Beth, are expecting, and demanding, and deserving of better campaign finance reform laws and this is gonna start to get us that direction."

Coulson: "And I'm all with you. I've been the cosponsor of every piece you talked about."

Fritchey: "Yes, you have."

Coulson: "I'm concerned at how limited this is. I have a couple other questions, because we've just seen this today. Are there any ethics commissions or ethics education or anything like that included in this Bill?"

Fritchey: "All this Bill does with respect to the Gift Ban Act was further specify the gift amount limits and with the other provisions, or the criminal provisions with respect to solicitation misconduct. So, there's no board or ethics commission formed."

Coulson: "And how... do they define 'solicitation' in the Bill? And if so, how? I'm sorry to ask such a detailed question, but..."

Fritchey: "No, please, I just want to make sure to give you a correct answer. And it says, 'an employee of a executive branch constitutional officer commits solicitation misconduct when, at anytime, he or she knowingly solicits or receives contributions, as that term is defined in the Election Code, from a person engaged in business or activity over which the person has regulatory authority.'"

Coulson: "Okay, would you say that solicitation includes sending an invitation to an event or just going up to the person personally?"

Fritchey: "I don't think that this covers solely, face-to-face

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solicitation."

Coulson: "Okay. Anything on sunshine in the gambling laws, any of those kinds of things that we included in 1330 (sic-House Bill 1330) that went over there or any of the other packages we've had before?"

Fritchey: "1330, while having some gaps, had much smaller gaps. 1330, as I said and I've made this pledge to Representative Daniels and to Tom, it should be a floor. It should be a starting point. 1330 is what should've been going to the Governor's desk. Under the Leadership on that side and this side, we tried to do it and we will keep trying to do it. But you're right, that it's a much more comprehensive piece than just this."

Coulson: "To the Bill... to the Motion."

Speaker Hartke: "To the Motion."

Coulson: "I will support this as is. As I think I agree with Representative Fritchey in that this is a tiny baby step in the campaign ethics reform that we need to take in this state. I believe that we must include an ethics commission so people who are in doubt of what they're doing have someone they can ask questions of as a proactive measure. I believe we need to have people be able to have ethics education, so they know what a conflict of interest is. I'm also very, very concerned that we are limiting this legislation and not covering the Legislature or the Governor's Office and I would hope that we can continue to move forward on this. We've passed a few other Bills in the past, but I hope that we can continue to move forward on more comprehensive campaign finance in the future. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Champaign, Mr. Winkel."

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

Speaker Hartke: "Sponsor will yield."

Winkel: "Representative, I listened with interest to your description of the legislative history of the Gift Ban Act, but I think you may have misspoke. Was it not the Senate Republicans that sent us the Bill in the spring of 1998 that created the Gift Ban Act?"

Fritchey: "That created the Gift Ban Act, that's correct."

Winkel: "Right, so I mean it was... it was the Senate Republicans that crafted the Gift Ban Act that's currently on the books in the State of Illinois that is the major piece of ethics reform that was just before the Illinois Supreme Court and was found to be favorable. So, ya know, I just wanna clarify that, that when it comes to passing ethics reform packages the Senate Republicans are the ones that put it on the table in, as I say, the spring of 1998 and put it to the forefront and so it's actually a Republican... Now, it's interesting, too, that you're carrying yet another Senate Republican initiative that amends the Gift Ban Act that they helped create. I just want to clarify that. I think, ya know, sometimes we engage in a little revisionism around here and I don't think that's necessarily helpful. But I just can't help but... Just to the Bill, Mr. Speaker. I just wanna..."

Speaker Hartke: "To the Motion."

Winkel: "I just want to... on the Motion, just remind the chamber that indeed, it's the Senate Republicans who put ethics reform packages before us over the years."

Speaker Hartke: "Further discussion? Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "Sponsor will yield."

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Mulligan: "Representative Fritchey, you talked a little bit about local official. After you get to mayor or township supervisor, do you go down to the township highway commissioner?"

Fritchey: "I'm sorry, Representative, I didn't hear the last part of that."

Mulligan: "I'm... I'm asking you a question on local officials."

Fritchey: "I heard everything after you get to mayor or supervisor."

Mulligan: "All right, how about the township highway commissioner?"

Fritchey: "What was the last...?"

Mulligan: "Township highway commissioner."

Fritchey: "All... The list that's specified here is not an all inclusive list. As a matter of fact, July 28th, where it says to define it, it says includingly... 'including but not limited to' and then it offsets a number of offices... of offices there. And I think to the... I think to the extent that these other offices were covered that it would be the intent that the highway supervisor would be covered, as well. However, I am not comfortable speaking for what the drafters, intent on that point was."

Mulligan: "Well, township highway commissioner has access to their own budget and they also solicit money for different events, probably to the better... over a supervisor, anyway. Because township highway commissioner controls the road funds and who does the work and a lot of other issues, so that I would think that that would be someone who would be in a position of power about letting contracts that is totally different and separate from the township supervisor."

Fritchey: "I agree with you that I think if somebody takes a look

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at what the nature of the duties are and the responsibilities are in their capacities that those are the types of offices that we wanna cover. You're better off here being more inclusive."

Mulligan: "And then so it doesn't go down to local aldermen, it just covers mayors or a village president?"

Fritchey: "They go down to local aldermen?"

Mulligan: "Doesn't cover aldermen, just... or county commissioners, it only goes to the president of the board or the village mayor or president?"

Fritchey: "It discusses chief executive officers or local government and so again you're gonna need to take a look at the definitions and decide what should or shouldn't be covered in there. When you take a look at these definitions it seems to be more individuals in a supervisory role."

Mulligan: "Would you then have a problem with the legislation being overly broad or not specific?"

Fritchey: "I don't know about overly broad, there may be a question with the respect to specificity."

Mulligan: "Because in some instances aldermen, commissioners have quite a bit of power in their local sphere and they might also have a problem if they solicit people that they have control over."

Fritchey: "As I said, you've been a party to some good campaign finance reform legislation. This is okay. It starts to get us there. It needs to be better. I'm gonna work with your colleagues and I'd love to have you join us to try to make this better as we go forward and come back maybe even in the fall to come up with an even better package."

Mulligan: "So, how do you feel this impacts the legislation that's been in court and first, not struck down and now it

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seems affirmed?"

Fritchey: "Mr. Speaker, if I could just get a little quiet."

Speaker Hartke: "Shhh."

Fritchey: "Can you repeat that, Representative?"

Mulligan: "Well, how do you feel this legislation impacts the original legislation that we passed that's been in court that was first struck down and now affirmed?"

Fritchey: "Well, I think this is an improvement over the Gift Ban Act as it was recently reaffirmed by the courts."

Mulligan: "This would be considered an addition or a replacement?"

Fritchey: "This would be considered an addition... with the specific effect of further specifying the gift ban level. I think everybody has the need to be able to operate with a certain amount of certainty and what you don't want is somebody with no malcontent to do something that they thought wasn't covered only to have it be covered here."

Mulligan: "Thank you, Representative."

Fritchey: "So, this helps to give it that certainty."

Speaker Hartke: "Representative Fritchey to close."

Fritchey: "This is a bittersweet direction that I find ourselves going in. I'm kin... inspired by the comments from the other side of the aisle that we will start to work to get something done. Hopefully, we can get it done in November or next year. The people in this state deserve better than this, but it is a step in the right direction. And I request favorable votes. Thank you."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4680?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 2 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Senate Bill 1282, Representative O'Brien, for a Motion."

O'Brien: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I wish to refuse to recede on Senate Bill 1282 and would wish to request a Conference Committee."

Speaker Hartke: "You've heard the Ladies Motion. She refuses to recede on House Amendments #1 and 4 and requests a Conference Committee Report. All those in favor will signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Motion is adopted. On page 3 on the Regular Calendar in the Order of Concurrence appears House Bill 40... 50... 539, Representative Currie."

Currie: "Thank you, Speaker, and Members of the House. I move that the House concur in Senate Amendment 1 to House Bill 539. This is the measure that includes the cigarette tax increase, one we've discussed over the last several months in this chamber to help solve the problem of the budget shortfall. A week ago tomorrow the Governor proposed a 50¢ per pack increase in the State Tax on cigarettes. This measure actually provides a 40¢ increase, slightly lower than the Governor's first recommendation, but this is something that has been improved in the Senate. It would bring in 235 to 240 million dollars in revenue, revenue we desperately need if we're going to be able to meet the commitments that we made in the spending plan we approved last week. Finally, the Bill also provides that the Real Estate Tax... Transfer Tax proceeds go to General Revenue and are reduced from both the Natural Area Acquisition and

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OSLAD funds. I'd be happy to answer your questions and would appreciate your support for the Concurrence Motion."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Hamos."

Hamos: "Representative Currie... Oh, will the Sponsor yield, Mr. Speaker?"

Speaker Hartke: "The Sponsor will yield."

Hamos: "Representative Currie, as to the last part of what you just said that the Real Estate Transfer Tax for open space acquisition is being redirected to the General Revenue Funds. Some of us feel badly that this is being done on a permanent basis when some of the... some of what we're trying to do right now is really to fill a budget hole. Would you be open to reconsidering this, depending on how the revenues are flowing? I mean, right now it's hard to really predict anything, but depending on how the revenues begin to flow would you be open to revisiting this and to trying to get the money back into that fund based on the rest of the budget at that appropriate time?"

Currie: "You mean at a later date on a different Bill?"

Hamos: "Not today. Not today."

Currie: "Later date, different Bill. Absolutely."

Hamos: "Okay. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kankakee, Mr. Novak."

Novak: "Yes, Ms. Currie, just to follow-up on Representative Hamos. How much is being diverted from the OSLAD account? Is it 25 million...?"

Currie: "OSLAD... OSLAD goes from 35% of current proceeds to 20% and the Natural..."

Novak: "I can't hear you. Representative, I'm sorry."

Currie: "The OSLAD redirection goes from 35% to 20% of the

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proceeds in the Real Estate Transfer Tax."

Novak: "So, how much can you tell us..."

Currie: "Natural Areas Acquisition goes from 15% to 5."

Novak: "So, can you..."

Currie: "I know that in Natural Areas the cut is from \$9 million to 3 and I believe the other is from 21 million to about 12. So, the total difference is about 15 million. I would make the point, Representative, and I myself would prefer that this not have been made... had not been made permanent, but I would make the point that since we created these calls upon the Real Estate Transfer Tax we have in the last several years under the Leadership of Governor Ryan created a very significant Open Space Acquisition Fund, I believe it was about a hundred sixty million dollars worth..."

Novak: "Right, 40 million over 4 years."

Currie: "... and I think that's important to point out for the record."

Novak: "And that's gonna expire though, at the end of this fiscal year. Okay, Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, in the language that's included in this Amendment dealing with the Real Estate Transfer Tax you've answered the questions about the distribution. Let me just make sure on the record, there is no increase in the current Real Estate Tax Transfer Tax included, correct?"

Currie: "Correct."

Black: "All the Amendment does is to redistribute the current

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revenue stream from the current Real Estate Transfer Tax in a couple of different directions and percentages, right?"

Currie: "That is correct."

Black: "So, OSLAD gets a little less money so that... how... what is the percentage that will go into..."

Currie: "What happens is that..."

Black: "... trying to... Well, I'm trying... OSLAD will go from what, 35 to 20?"

Currie: "35 to 20% and the Natural Areas Acquisition goes from 15% to 5. The total dollars at stake are about 50 million. Those dollars would be redirected to State General Revenue Funds."

Black: "All right and this does not... in these transfers it does not take any revenue stream away from local governments in any form, correct?"

Currie: "That is correct."

Black: "All right. On the cigarette tax, you said in your opening remarks that once it starts to go into the... be collected it would go into GRF and then it will be distributed into a bond account."

Currie: "That's right."

Black: "Now, will that take in all of this increase into a bond account for the School Construction Fund?"

Currie: "5 million per month will go into the School Infrastructure Fund, that will enable us to reinvent the school building..."

Black: "Right."

Currie: "... construction program that is now out of money even though there is a substantial number of... a substantial group of projects that have been approved, that are waiting for the dollars to do their maintenance and to do their building."

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Black: "All right. You and I are certainly in agreement on that... that revenue stream. The program has been so popular, quite frankly, because as you know, in the City of Chicago and your area and certainly in my area, there is such a tremendous backlog of modern classrooms and facilities for education. I think two schools in my city will soon approach their own... in fact will soon celebrate their 100th birthday as an active elementary school. Now, of the 5 million that goes into the bond account, what percentage of that would be representative of this total increase? Would it be 50% of the total increase, or less than, or more than?"

Currie: "Well, that would be \$60 million a year. The total increase is estimated will be 235 to 240 million. So, it's about a quarter of the total take and that will supply us with a \$1 billion School Construction Bonding Program, 500 million is this coming fiscal year, 500 million in proceeds in the next fiscal year to begin to catch up with the school backlog."

Black: "All right. Representative, I think you've done an excellent job of explaining a... a tax, certainly some of us are not anxious to vote for it, particularly on border districts where we will be certainly out of... we will not be in a competitive situation. I am on the Indiana border and obviously, many of my constituents will vote not to pay this tax by going to Indiana and purchasing their cigarettes there at a much cheaper price. I... I wish I had an alternative. I do, but I know I won't get support for it. It would be hard-pressed to get sufficient votes to even get it out of committee, but that's what we'll have to work on for another day. This is the tax that will probably pass. It's the tax that keeps the School

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Construction Bond Program in operation. There are almost, I think the last time I looked about 200 projects that have been approved. Many of those the local taxpayers have agreed to tax themselves for their share of needed and necessary new schools or additional classrooms. So, it's... it's one of those things sometimes that you... if you wanna spend the money and you wanna go back to your school districts and say I... I certainly helped you build your new school and protected the property taxpayer from paying even higher taxes to finance those necessary and needed classrooms in schools, then your choice I think is rather simple. Even though this tax will not be viewed with great support in my district and many will choose not to pay it by going to Illinois... by going to Indiana, excuse me, it would be disingenuous of me to vote 'no' when I know how desperately the School Construction Bond Program is needed. I think you've done an excellent job of explaining this breakdown and I thank you for that."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "Sponsor will yield."

Mulligan: "Representative, can you give me as close as you can an estimate of the amount generated from each portion of the taxes in this Bill?"

Currie: "The total is \$235 to 240 million. The difficulty with excise taxes like cigarette taxes is that each penny is not worth exactly the same amount for two reasons. First, the higher the rate the more likely there is to be a drop off in sales. And second, the chances the higher the rate that somebody might drive further in order to buy the product goes up. So, you can't just say every 10¢ is worth the

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same amount of money."

Mulligan: "Right, I..."

Currie: "But at 40¢ the estimate is 235 to 240 million overall."

Mulligan: "Taking into account the drop off of..."

Currie: "Taking into account drop off and possible loss of sales to other jurisdictions."

Mulligan: "And I think the last time we raised the cigarette tax was 1997, is that correct?"

Currie: "I believe that is right. I believe it was.. yeah."

Mulligan: "In looking at the reports from Ec & Fisc the revenue from cigarette tax has pretty much stayed the same over the last several years. I'm just wondering if we can truly estimate this amount of money. My goal in asking you these questions is to figure out how much we're raising and if we're gonna have a balanced budget when we're done with all the different Bills, because that's a goal of our side to have a balanced budget when we're through here."

Currie: "\$235 to 240 million."

Mulligan: "All right. And then on the Real Estate Transfer Tax Fund, there is no sunset on the changes there?"

Currie: "That is correct. There is no sunset on the Tobacco Tax increase, either."

Mulligan: "Well, that is of less concern to me than the allocation of the funds and where they were going, although it is a concern if we go back into having a budget that's very sound and we're raising money."

Currie: "Right."

Mulligan: "Thank you."

Currie: "And I did agree with Representative Hamos' question that I would be happy to work with you and with her at some future date on some different Bill to see if we could afford to redo that allocation."

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Mulligan: "So, are you estimating 230 to 240 from the cigarette tax and 245 million from the Real Estate Transfer?"

Currie: "No, no, no, no, no. No, no. This Bill does nothing with the Real Estate Transfer Tax..."

Mulligan: "It just supports it."

Currie: "... except to reallocate its proceeds. What the Bill does is to increase the tax on a package of cigarettes sold in the State of Illinois to... by 40¢ and it is that 40¢..."

Mulligan: "But the Real Estate Trans..."

Currie: "... that will bring in the \$235 to 240 billion. The value of reallocating the Real Estate Transfer Tax to state coffers is about 25 million."

Mulligan: "About 25 million and it's to cover..."

Currie: "25%, so it would actually be more like 15 million. I'm sorry, maybe I'm misunderstanding you. Are you asking about all the revenue increases that we're likely to be asked to support or are you asking just about this one?"

Mulligan: "Thank you, Representative."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Whiteside, Mr. Mitchell."

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

Speaker Hartke: "Sponsor will yield."

Mitchell, J.: "Representative Currie, this is part of an overall plan to do what?"

Currie: "To do, pardon me?"

Mitchell, J.: "This is an overall plan... part of an overall plan to do what?"

Currie: "To fill the revenue shortfall, to see to it that the spending plan that we adopted just last week is a spending plan we can afford to support."

Mitchell, J.: "So, what you're telling me is when we get done

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with our business today there will be a balanced budget?"

Currie: "That certainly is our hope."

Mitchell, J.: "Now, this is.. this is where we were from what we understood, was the budget deficit?"

Currie: "The budget deficit when we began this exercise was somewhere between \$1.3 and 2 billion depending on when you start counting."

Mitchell, J.: "Well, Representative, there's an awful lot of downstate Members that are coming to me saying we don't know what the plan is. Basically, this is a part of a plan, now we're heading down the road to increase taxes on the citizens of the State of Illinois and we still don't know as Members what that overall plan is. There's concern on both sides of the aisle that we may not quite budget... balance the budget or maybe we'll trip up somewhere, maybe there'll be a hole we don't know of and then we've got a problem. We've got a Governor that will have the opportunity to amendatorily veto all of those increases that we hope will stay in the budget. But again, the Members are telling me, where do we stand? So, maybe we need to either have a Committee of the Whole and go over the plan so that Members can rest assured that what they're voting on, what they have started voting on is a part of a bigger picture that will put us exactly where you started. Now, it's not that I mistrust what you're saying, Representative, whatsoever. The problem is, is that too many Members aren't sure of where we're headed."

Currie: "Well, let... if I could just comment. According to the figures I have were we to adopt the Governor's proposal to decouple, to transfer money from other funds, to redirect photo processing, to reallocate in the Real Estate Transfer Tax, to adopt an increase in the tax on cigarettes and

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gaming that we would end up the year... end of the next fiscal year with a \$372 million balance. Now, there would be an opportunity in one of the implementation Bills for the Governor to securitize some revenues if he wants that end of year balance to be larger than the sum I just mentioned. There is no requirement that he do so and there is not under that analysis any requirement that he cut spending from the measures we send him."

Mitchell, J.: "So, we're gonna balance this budget without the tobacco money. Is that what you're telling us?"

Currie: "That's exactly what I'm telling you."

Mitchell, J.: "Okay. So that's different than the plan that we had a week ago, at least from this side of the aisle. Now, we just told that it's the same plan by some of my Members. The problem is that it gets real confusing when you're dealing with the lives and the careers of so many people in the State of Illinois. We all have to go home and justify what we've done down here. I think it's... ya know, we've been here a long time. It wouldn't hurt to take a few more minutes and walk through this item by item before we vote on each item, so that we have a general idea of what it is we're gonna go home and tell the people that we've done for them or to them. Don't you agree?"

Currie: "Well, I think I just gave you that overall spending plan, but I'd have to remind you, Representative, that we can't vote..."

Mitchell, J.: "Well, Representative, you..."

Currie: "... on everything at once under our constitution. You start painting a picture..."

Mitchell, J.: "But there's a method..."

Currie: "... someplace, right?"

Mitchell, J.: "... but there's a method, Representative, for

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Members on both sides of the aisle to ask questions and discuss each one of those things before they have to vote on any one of those items."

Currie: "I think I just gave you the... if you want more detail, ask, but I told you the elements that would lead to an end of year balance in the neighborhood of 370 million."

Mitchell, J.: "Thank you, Representative. To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Mitchell, J.: "Those Members... those Members on both sides of the aisle that have discussed the fact that we need detail, the invitation has been made by Representative Currie, and I respect that, that you can ask all the questions that you want on any portion of the budget at this time. Now, if you have questions about the securitization of tobacco funds, if you have questions about whether or not we're gonna pass other taxes, then I suggest you ask them, because apparently we're gonna head down the road and vote on each individual part of that budget which is what we have to do before we know what the total amount is. You're being asked to trust in the fact that it's all come together without knowing what it is that we put in there to come together. I don't know how to advise anyone at this point, but I have concerns. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Well, I'm gonna tell ya right now, I don't like the plan. Here's a couple reasons why I think we need to look this very carefully, and especially in my area where we have a serious situation on the difference in the tax on a pack of cigarettes. There's gonna be a revenue all right shortfall and it's gonna be in

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Rock Island County. People now are gonna go across the river and they're not gonna spend their money at our stores, which Rock Island gets a part of the sales tax. They're gonna go across the river to Scott County in Iowa and they're gonna buy their cigarettes and their gas and maybe their food over there. And they're gonna get a short... we're gonna get a shortfall in revenues in Rock Island County. I would... think we could move in a different direction. I get letters and they say this is the only fair tax. Well, I'll tell ya what, it's not fair for us border people. It's not fair for the people along the Indiana border or Kentucky or Missouri. It's not fair for these counties. It may be fair for Peoria County and Tazewell and Sangamon, but it's not fair for the border counties and the border Reps that have to deal with the transportation issue across the rivers or wherever the borders to buy their cigarettes and buy their contraband in a different state to save money. So, we have a problem with fairness on that issue. Number two, I think that we ought to tax cigarettes. I think we ought to tax these things. We ought to tax the alcohol, we're doing that. But there comes a point, there's a fine line when you say, well, a tax of 25¢ a pack is appropriate or maybe 50, we're at 58¢ right now. But at which point does it become prohibitive for people to do that? I have people in my office that come in and say we ought to raise the tax so high that people can't buy cigarettes. That's economic prohibition. I am not for that and I don't think the State of Illinois ought to be for that. Yes, we ought to tax cigarettes, but not to a point that the State of Illinois is saying to people, we're gonna decide what you're going to do. I do not wanna do that. Let the people in my

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district decide what they're gonna do. And I... I can't believe that we're gonna drive the pack of cigarettes up so high that people, through economic prohibition, will in fact quit smoking. And that's good, yeah. We like to say, well, this'll make 'em quit smoking. Well, that's a decision that we're making here not that someone is making home in their districts and the people in their houses are making their choice about what they want to do. So, I oppose this Bill. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Peoria, Representative Slone."

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

Speaker Hartke: "Sponsor will yield."

Slone: "Representative Currie, I have many of the same concerns that some of my other downstate colleagues have expressed regarding the overall size and shape of this budget package and the revenue sources and amounts that it's going to consist of. And I had some specific concerns about numbers. I was trying to write down some of the ones that you were referring to along the way. Our analysis doesn't have totals... total estimated yields for these."

Currie: "Sure. Under our constitution we do these things Bill by individual Bill."

Slone: "Right. Am I correct in saying that the cigarette tax yield is estimated to be around \$240 million, I think that's the number you gave us, right?"

Currie: "That's right."

Slone: "But we're gonna peel 60 million off of that for the School Construction Fund financing?"

Currie: "Correct."

Slone: "So, that yields more like a hundred and seventy-five million to the General Revenue Fund, right?"

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Currie: "Yes."

Slone: "Okay. And then..."

Currie: "Although... although..."

Slone: "Yes."

Currie: "... the point is we'll be paying... we'll be using that money to pay off the bonds and that expenditure is part of our budget hole. That 60 million is part of the budget problem that we're looking at."

Slone: "Okay. So, these are the... this is to pay off bonds on the school construction projects that have already been funded? This is not for the new ones?"

Currie: "No, this is the new program. My point is that you have to pay the interest out of General Revenue and our General Revenue numbers reflect the creation of a new billion dollar school bond construction program."

Slone: "Will the cost be higher... the annual cost of servicing the debt on these school construction bonds, will the cost to the General Revenue Fund be higher in the out years as more of these are financed..."

Currie: "No."

Slone: "... than it will in the first year?"

Currie: "60 million a year out of the proceeds of the tax that is the subject of House Bill 539."

Slone: "Hold on, please. Okay, can you tell me, if you would, I didn't get a number on the total sum yielded by the Real Estate Transfer Tax?"

Currie: "15 million."

Slone: "15 million. So, 25% of that is what's being taken away from OSLAD and natural areas?"

Currie: "That's right."

Slone: "25% of 15 million?"

Currie: "25% equals about 15 million."

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Slone: "Equals 15, right. Okay, so we're putting 15 million into GRF from the Real Estate Transfer Tax, a hundred and seventy-five million from the cigarette tax, that's all..."

Currie: "No, no, no."

Slone: "... that this Bill puts into General Revenue?"

Currie: "No, no, no. Count the full 235 or 240, because at the same time we are going to approve the new bond construction program, that \$60 million turns up as part of our budget shortfall."

Slone: "Representative Currie, with all due respect, ya know, I'm one the Members who's been asking for days for a one pager that would show us where the revenue sources are, what the revenue totals are, that we can expect from these tax Bills. And while I appreciate you're answering my questions, it's very difficult to figure this out without some numbers in front of you. And I agree with Representative Mitchell and other who have spoken on this that it's very hard for us to take the votes that I know we wanna take and that you need us to take, if you won't give us the information that we need to make an informed vote. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. Tax increases are painful, they're painful for those who pay, they're painful for those who might lose custom because of them. But the advantage of this particular measure, the advantages are three. First, it takes us a significant way along the road of filling the budget gap. We approved spending. If we really believed in the priorities we set in that spending Bill, the only way to make them real is by supporting the increases it takes to fund them. Second,

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this measure provides for the School Construction Bond Program, something you've all been asking for. A billion dollar program funded out of these proceeds so we can begin to catchup on the backlog. And finally, Speaker and Members of the House, I would remind us all that an increase in the tax of a cigarette package is likely to decrease the number of people who choose to smoke, especially among our young. I urge a 'yes' vote on this Concurrence Motion."

Speaker Hartke: "The question is, 'Shall the House concur to Senate Amendment #1 to House Bill 539?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The 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 82 Members voting 'yes', 33 Members voting 'no', and 2 Members voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 539. And this Bill, having received a Extraordinary Majority... a Three-fifths Majority, is hereby declared passed. Mr. Murphy, for what reason do you seek recognition? He declines. On page 4 of the Calendar appears House Bill 1006 on Conference Committee Report, Mr. Righter."

Righter: "Thank you, Mr. Speaker, Ladies, and Gentlemen of the House. I'm asking the House to approve Conference Committee Report #1 with regards to House Bill 1006. This legislation has passed this Body once already with a unanimous vote. It makes several changes to the Timber Buyers Act. The Conference Committee Report was necessary to make one change with regards to mental intent and criminal law. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is

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seeking recognition, the question is, 'Shall the House adopt the 1st Conference Committee Report to House Bill 1006?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1 on Conference Committee Reports appears Senate Bill 1983, Representative Delgado."

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

Speaker Hartke: "Mr... Mr. Del... Out of the record, please. Rules Report."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on June 2, 2002, reported the same back with the following recommendation: 'to the floor for consideration' Conference Committee Report #1 to Senate Bill 314, Conference Committee Report #1 to Senate Bill 1983, approved for consideration; 'referred to Second Reading Short Debate' Senate Bill 1577, to the Order of Concurrence a Motion to Concur with Senate Amendment #2 to House Bill 4580, and a Motion to Concur with Senate Amendment #2 to House Bill 5686."

Speaker Hartke: "On page 5 of the Regular Calendar, on Resolutions appears Senate Joint Resolution 72, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a straightforward proposition. It directs our Auditor General to conduct a management audit of the Illinois Toll Highway Authority. Everyone's read in the newspapers the

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distress about proposed toll hikes and so forth, and I think if we adopt this measure we help our citizens understand that their government works for them."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, and to Representative Currie. I just want to verify that the costs for the Auditor General to do this will come out of toll highway funds as opposed to the GRF."

Currie: "You are correct. Yes."

Rutherford: "Okay. Thank you. Will there be a need to raise tolls to pay for this?"

Currie: "Representative, I don't think so."

Rutherford: "Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt House Joint... or Senate Joint Resolution 72?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. McKeon? Have all voted who wish? Mr. Clerk, take the record? On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt Senate Joint Resolution 72. Going back to Supplemental Calendar #1 on Conference Committee Reports appears Senate Bill 1983. Representative Delgado."

Delgado: "Well, thank you, Mr. Speaker and Members of the House. Senate Bill 1983 will do the following. The Conference Committee Report #1 to Senate Bill 1983 recommends that the Senate concur in House Amendments #1 and 2. Additionally, the following changes are recommended. For the year 2002-2003 school year, the poverty grant award for school

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districts with a low-income concentration of 20 to 35% is increased from 1,333 thou... \$1,190 to \$1,330. Also, for the 2002-2003 school year, poverty grant award for school districts with a low-income concentration of 35 to 50% will be increased from \$1,333 to \$1,362. The effect of these formula changes is to provide an additional \$12.3 million in state aid to these eligible districts and reduce their hold harmless requirements by 2.3 million. The funds to enact these formula changes are part of a Fiscal Year 03 budget, Senate Bill 2393 which the House and Senate passed yesterday. And at this point, I'm available for questions, Mr. Speaker."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Lady from Macon, Representative Curry."

Curry: "Thank you, Mr. Speaker and Members of the House. I'd like to thank the Sponsor of Senate Bill 1983 for his cooperation in this matter, but specifically to Speaker Madigan and the other Legislative Leaders for believing that this issue was important enough to make sure that we had language in the budget to make sure that some of our poorer school districts in the State of Illinois received help in probably one of the most difficult budget years we've had in more than a decade. This was a... an issue that we brought up during our budget negotiations over the last week. It was important to the majority of all of the caucuses, at least three of the caucuses in those meetings, that this be included in the next fiscal year's budget. So, I appreciate the help that we've had in working out the issue over the last few days to make sure that the language is in place, so that probably more than a hundred and seventy-six school districts... some of the poorest school districts throughout the State of Illinois could receive

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additional assistance over the next school year. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Since no one is seeking recognition... Oh, Representative Black."

Black: "Inquiry of the Clerk, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Black: "The underlying Bill had three House Amendments. House Amendment #1, House Amendment #2 and House Amendment #3. House Amendment #3 dealt with charter schools. It's my understanding from looking at my analysis that, in fact, has been deleted by the First Conference Committee Report, but I'd like to make certain that that language dealing with increasing the number of charter schools is not in the Conference Committee Report."

Speaker Hartke: "That should be a question of the Sponsor and not of the Clerk. Would the Sponsor like to yield? Sponsor yields."

Delgado: "Yes, Representative Black. As we... As you and I spoke before, as we've discussed that on the day that I withdrew completely Amendment #3 and our history has been..."

Black: "Yeah. I know that that's the conversation that you and I had. But I also know it's been a long week and there is some times when the paperwork gets done, but the people doing the word processing forget not to delete certain things. I just want to make sure in the enrolled copy that we're about to vote on, that that Amendment, in fact, has been deleted. I know you..."

Delgado: "That is correct, Representative."

Black: "...you withdrew it."

Delgado: "And I can assure you I'm this lead Sponsor of this legislation, and as you know our history has been good and I can once again with wholeheartedly on this tremendous day

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here Sunday, and reflect on that day to let you know that that has been done."

Black: "Well, I'm sure if it hadn't, that dynamic young staffer there to your left will let us both know. Right?"

Delgado: "Isn't he great?"

Black: "All right. Yes, he is. Thank you."

Speaker Hartke: "Further discussion? Representative Delgado to close."

Delgado: "Yes, thank you. This Bill, Senate Bill 1983, is truly a Bill that has allowed us to work together as one state, that has brought the South and the North together and this is what it's all about. Let's take it home. I want to see a lot of 'green' lights up there."

Speaker Hartke: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1983?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Brunsvold. Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received an Extraordinary Majority, is hereby declared passed. On Supplemental Calendar #1 appears Senate Bill... Second Reading... Senate Bill 1577. Representative Meyer, the Gentleman from Will. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1577 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1577, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

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Speaker Hartke: "Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1577 creates a new offense of use of scanning device or reincoder to defraud. It provides that it is unlawful for a person to use a scanning device as a reincoder to either pilfer information stored on the magnetic strip of a swipe card or to reencode information from the magnetic strip from one card onto the magnetic strip of another card. Provides that this offense is a Class IV felony or is a Class III felony for a second or subsequent violation."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1577?' All those in favor will signify by voting 'aye'; and those oppose vote 'no'. The voting is open. 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 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received Extraordinary Constitutional Majority, is hereby declared passed. On Supplemental Calendar #2 appears Senate Bill 314, Conference Committee Report #1. Mr. Saviano. The Conference Committee Report #1."

Saviano: "Thank you, Mr. Speaker and Members of the House. Conference Committee Report to Senate Bill 314 has a couple of provisions in it, one which we passed out the other day which extended the subsidized health care for city workers for one year. And that went out unanimously and... I'll defer to Representative Bugielski for the second portion of this."

Speaker Hartke: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. I ask that we adopt the

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First Conference Committee Report on Senate Bill 314. On this, this would take care of firefighters, police officers, correctional officers, paramedics, anyone killed in the line of duty. Presently, there's a lump sum payment made of a hundred and eighteen thousand dollars. What this report does is it brings it up to federal... it matches the federal guidelines which is \$259 thousand on a one-time payment to the people that are out for the protection of our... for the citizens of the State of Illinois. And I ask for the adoption of the Conference Committee."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Peor... McLean, Mr. Brady."

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

Speaker Hartke: "Sponsor will yield."

Brady: "This won't have any affect on those survivors benefit wise, correct? I mean, there's not going to be any increase to those who have received the one-time benefit. Correct?"

Bugielski: "That is correct."

Brady: "Okay. Thank you."

Speaker Hartke: "Further discussion? Since nobody's seeking recognition, Representative Bugielski to close."

Bugielski: "Thank you, Mr. Speaker. I just ask for a 'green' Roll Call on this. This is a great deal for... a great Bill for our firefighters and police officers and paramedics for the State of Illinois."

Speaker Hartke: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 314?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Collins? Have all voted who

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wish? Mr. Clerk, take the record. On this question, there were 116 Members voting 'yes', 0 voting 'no', and 1 person voting 'present. And the House does adopt the First Conference Committee Report on Senate Bill 314. And this Bill, having received an Extraordinary Constitutional Majority, is hereby declared passed. On page 3 on the Regular Calendar appears House Bill 4580. Mr. Hannig on Conference Committee Report."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is one... this is one of..."

Speaker Hartke: "Concurrence, excuse me."

Hannig: "Yes, this is one of two proposals that we need for the budget implementation to make the budget package that we passed... the spending package that we passed on Friday work. So, the provisions in this are agreed to by all the caucuses that... and I will give you some of the provisions. It has some emergency rulemaking provisions. It provides that applicants of the state's Community Care Provider Program be applied for Medicaid as a condition of eligibility. It has the Community Mental Health Trust Fund so that we can optimize some federal money. It abolishes the Health Care Cost Containment Council, something that we actually voted to do in this House several years ago. It has the Children's Health Insurance Program. It extends it for an additional year. It has the emergency management grants to hospitals. It has the Tobacco Settlement Recovery Fund in this Bill. It has the Statewide Economic Development Fund. It has a limitation of state funds for certain orphanages and childrens' homes. It has the General State Aid hold harmless that we pass each year. Repeals the Technology Grant Program. There's a Career in Technology Fund that's established. It has a loan

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repayment program for Illinois teachers and child care workers and the Illinois Students Assistance Commission contract for grant fund, the KidCare and Family Care eligibility, the Medicaid eligibility, Medicaid copayments, skilled nursing home rates, pharmacy payments, changes in some grants for Medicaid, Chicago Public Aid, Chicago Public Aid payments, service to noncitizens is established for an additional year, Medicaid Special Purposes Trust Fund, rules for transitional aid, rulemaking for pharmaceutical. Those are the kind of items that are in the Budget Implementation Act and I'd be happy to answer any questions. Again, we need to pass this legislation in order to bring all the pieces of the budget puzzle together and so I would move that we concur in the Senate Amendment."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kankakee, Mr. Novak."

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

Speaker Hartke: "Sponsor indicates that he will yield."

Novak: "Representative Hannig, could you just go down the list of funds that are being raided... transfer... fund transfers and just give us... tell us what the funds are and what the amounts are? I know there are not more than maybe 10 or 15."

Hannig: "Representative, that's in another Bill. That's in the next Bill."

Novak: "That is not in this one?"

Hannig: "That'll be in the next Bill."

Novak: "Okay, thanks."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Jackson, Mr. Bost."

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

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Speaker Hartke: "Sponsor indicates he will yield."

Bost: "Now, as... Gary, as we're passing this today, and I know the arguments that have went on around here and it's it's... I know and you know that it's probably been the roughest that we've ever seen. We're passing a balanced budget from what everything you can see as of right now."

Hannig: "Yes, Representative, we... the Governor gave us a spending plan on Monday. We made some changes to the plan, but we still have a balanced budget that will allow us to go forward and of course, we have to adopt some additional pieces, including this budget implementation, the gaming tax is still out there and things of that nature. But this is a piece that would allow us to put the whole puzzle... the whole package on the Governor's desk and then, and then it will be a balanced budget."

Bost: "And, and the concerns that I have and I'm, I'm... just so you know, I'm going to support the budget. I just want... there are things that we need to know for in the future. And as we go on, and we've seen the economy slide, are we in a position that we've been able to try to deal with the best way possible to try to keep our services provided, to provide that the loss of jobs is minimal and that we can still maintain this with the projected incomes that are coming right now?"

Hannig: "Yes, Representative. I think if there's anything that we all learned in this process this year is that the State of Illinois provides very important services to a whole spectrum of citizens out there and we want to maintain those services. We have important employees who provide those services to our constituents and we want to maintain their place in State Government, as well. And so, we've crafted a budget that I believe if we put the entire

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package on the Governor's desk, can satisfy the demands that the Governor... the challenge that the Governor gave to us last Monday."

Bost: "What... Well, a couple other things. One thing I do want to be sure of and it's... this has been something that's been vital to my area. I think it's been very clearly noted in the press, but I just want it confirmed on record. We have the finances in this budget and the line items available that Vienna Correctional Center will be left open."

Hannig: "Yes, Representative. I'm certain that... in fact, all four caucuses have agreed to that and I think the Governor has said, in his speech of about a week ago last Monday, that he intends to keep the Vienna Correctional Facility operational."

Bost: "And from what you could see, there should be no other budget cuts as we pass this on, because we do have enough revenue stream if we had... if the entire package is passed, so that we could continue to operate?"

Hannig: "If the entire package is passed, I believe that the Governor can sign the spending plan that we sent him with no changes."

Bost: "Thank you very much"

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Madison, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Will the parliamentary comment as to the single subject matter requirement of our Constitution and it's effect on this... whether this Bill violates it or not?"

Parliamentarian Uhe: "Representative Stephens, on behalf of the Speaker, and in response to your inquiry, the rules do not give me the authority to rule on matters of

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Constitutionality, such as single subject and therefore I must respectfully decline to answer your question."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "Sponsor indicates that he will yield."

Mulligan: "Representative, this is... an interesting Bill. With one hand it gives and with the other hand it takes away. I understand that there's language in here and I've been trying to go through and find it, that makes it optional, whether we do the increase for the DD workers."

Hannig: "No, I'm advised that that is not in there, Representative. So, maybe that's why you couldn't find it."

Mulligan: "Well, when I asked you on the last budget Bill, you told me that it was there. Now, I understand that that's either gone or optional from the Bill we passed the other day?"

Hannig: "What I can tell you is that the best of my knowledge, there's nothing in this budget implementation along those lines, Representative."

Mulligan: "It removes the repeal for the aid to noncitizens that normally comes up once a year, now it will go to a regular line item?"

Hannig: "Yeah. So we have been doing that on a one-year basis, every year extending it. This just makes that permanent. I think most of us..."

Mulligan: "And in a step..."

Hannig: "Go ahead."

Mulligan: "So, all right. So, then that it does. It removes that that we asked... we asked for that this... with negotiations with the department earlier in the year."

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Hannig: "Yeah. So, Representative, we still have to appropriate for those kind of things."

Mulligan: "It also establishes the four brand name prescription limit in Medicaid?"

Hannig: "It would allow the department to do that."

Mulligan: "So, it'd be up to the department?"

Hannig: "Yes, it would."

Mulligan: "Would it then be set by rule?"

Hannig: "Yes. That's correct."

Mulligan: "So, it would be at their discretion to go before JCAR and ask for that?"

Hannig: "Yes, Representative."

Mulligan: "But that does not... would that not apply to the Bill that Representative... the Amendment Representative Currie put on and and I... was on a Bill that I had yesterday, that allows for certain drugs for no previous authorization?"

Hannig: "Yeah. Representative, this does allow for some exceptions. It... and it..."

Mulligan: "Alzheimer's, arthritis, diabetes, HIV, mental health, respiratory disease."

Hannig: "Yes, that's correct, Representative. And that's in the Bill."

Mulligan: "On the circuit breaker defending fees... dispensing fees, is that going to be set by rule?"

Hannig: "Yes, that's correct."

Mulligan: "According to what the department asks? So, the department would therefore go to JCAR and say this is what we would like in circuit breaker, this is what we would like in senior care."

Hannig: "By rule, Representative. It's set."

Mulligan: "Is there any increase in here for the homemaker

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program in the Department of Aging or is it still cut, the dollar an hour increase?"

Hannig: "No, it's not addressed... There's no increase. No dollar an hour increase in this proposal."

Mulligan: "How come AADD is going to be set by rule now, even though we put money in the budget for it?"

Hannig: "I think, Representative, we simply want to give some flexibility to the agencies. We know that this will be a balanced budget, but a tight budget and so they're gonna have to make some projections as we go along and to the end of this fiscal year and so it gives, rather than setting these things in statute, it gives the agencies some opportunities to use, to use their judgement, but we did fund it as of July 1."

Mulligan: "So, what do you anticipate happening then?"

Hannig: "I suppose..."

Mulligan: "We could put the money in the..."

Hannig: "...if we have the, if we have the worst June in the history of the state, perhaps they would push it back a little bit. But you know, if we have a good month in June and it looks like the fiscal year is going to be okay, then you know, the money will be there to begin. But we give them, we give them the option to use the good judgement that the Bureau of the Budget has."

Mulligan: "I'm not trying to be contentious here. The problem that I have is that many of us looked at the first budget Bill that contained appropriations with the fact that there were certain items in there that we felt secure then in voting for the Bill. It now appears that, as we progress, particularly when you change the language a little bit, the certainty of those... appropriations going to those programs is not 100% any longer. And so I'm a little

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concerned."

Hannig: "Well, Repres... we, we did put money in there to begin on the next fiscal year. That's what the spending plan did. But we also want to give the Governor some flexibility as we exit in early June to take a look at things, as we approach the new fiscal year. So, it's kind of a worst case scenario option for the Governor. Hopefully, and on July 1st, everything will be fine."

Mulligan: "Also provides for the eligibility for parents, covered KidCare enrollees, to be eligible for Family Care in this budget, in this..."

Hannig: "Yes, Representative. Yeah, of course, we're still waiting on a waiver, but assuming we get the waiver, we're fine."

Mulligan: "I would like a clarification. And one of the reasons I changed my vote on the tobacco tax was the issue of the DD COLA not being in this budget and I thought there was language in this Bill somewhere that gives them an option of not actually fulfilling the dollar an hour COLA for the DD workers."

Hannig: "Yeah. I... I think that that was the discussion we had when we had the spending plan, but it's not actually by law here. We... we've traditionally..."

Mulligan: "Say the beginning of that again."

Hannig: "Pardon me?"

Mulligan: "Please repeat the beginning."

Hannig: "Oh, okay. It's my understanding... and I don't have my notes in front of me, but it's my understanding that we had money in the spending plan that we passed on Friday to do the COLA, but it's not addressed specifically in this, specifically in this Budget Implementation Act."

Mulligan: "Our staff is pointing out that it says it removes the

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FY02 COLA for DD and extends the DD rate freeze for FY03. Funding was appropriated for all DD and MI community service providers for a 2% COLA retroactive to April 1, 2002, under the recently passed FY03 budget which was Senate Bill 2393. This language will prevent this COLA from going into effect. Now..."

Hannig: "Are you saying you see that, that your staff sees that in this Bill?"

Mulligan: "Right."

Hannig: "Could they tell us where? On what page and I'll look at that language?"

Mulligan: "I'm looking at page 63."

Hannig: "I think that's the..."

Mulligan: "Line 2192."

Hannig: "These are for the intermediate care facilities for the developmentally disabled is what I am told, Representative. And I think that's different from what you asked me."

Mulligan: "All right. But it's still a rate decrease. It says, 'the rates taking effect on April 1st shall include a statewide increase of 2% as defined by department.' Then the part that's added is, 'this increase terminates on July 1, 2002. Beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002 as defined by department.' So are you giving them an increase for three months in the budget year and then taking it away as of July 1st?"

Hannig: "It's the facilities' per diem rates, Representative. Yeah, it isn't... it doesn't... it isn't the same as the COLAs or the dollar an hour or any of those issues."

Mulligan: "So, it's the... it's the facilities' rate per client?"

Hannig: "It's the daily per bed payment that they receive."

Mulligan: "Sorry. Say that again, please."

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Hannig: "It's the daily per bed payments or rate that they receive. Yeah, a basic rate. A basic daily rate."

Mulligan: "So, we're back to the Bill gives some things with one hand and takes away with the other."

Hannig: "I'm told, Representative, this... that this language is actually an add back to the Governor's original FY03 proposal."

Mulligan: "I'm sorry, it's different how from the original?"

Hannig: "Yeah, remember, the original proposal was going to reduce the nursing home rates by 13%, I believe, when all things were added in. And this is actually moving back."

Mulligan: "So, it moves it back to FY02 rate?"

Hannig: "Yeah, it starts at the 02... So effectively, they don't get their raise in those rates, Representative."

Mulligan: "Representative, this Bill is 71 pages long and staff got it yesterday and you know... or you've had variations of it... it had variations for a while, but actually the Legislature hasn't gone through, nor did it go to committee. You know, I'm really concerned that even though it has some good things in it, I'm really concerned when I vote for this, that I'm voting for some things that I'm not going to like. That's a problem every year and it's very disturbing to me."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Bureau, Mr. Mautino."

Mautino: "Representative Hannig, if you'd yield for a few questions?"

Hannig: "Yes."

Speaker Hartke: "The Gentleman will yield."

Mautino: "Okay. I was just looking through some of the provisions in here and I see it has the Health Care Cost Containment Council, that part taken out, some of the

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federal dollars taken out."

Hannig: "Right."

Mautino: "You mentioned something about emergency rules. Would you tell me a little bit... what emergency rules are we effecting in this Act?"

Hannig: "I think, Representative, that as we go into any fiscal year and particularly this one, where we have the economic difficulties that we have and that we've battled through, we give the agencies an opportunity to create some emergency rules in order to get this whole process started on July 1st. And that's, I think, something that we do almost every year."

Mautino: "In there, I think, right around page 63, you've got a reduction of 5.9%, that's on the nursing homes."

Hannig: "Yes. So, remember the Governor wanted to drop them 12% something and then, I think, we proposed that we restore some of it last Monday, and then we went a little bit higher. So, this represents the actual statutory rate that that worked out to."

Mautino: "They've been... they've been consulted on that and worked with, as well, I'm assuming?"

Hannig: "I think that probably they would tell you that they would want more, but I think that they understand what we're out and under the circumstances that this is what they would agree is the best language at that level."

Mautino: "Okay. For this implementation Act there's no... I haven't seen anything in here which would offer the ability to further reduce any of the appropriations so far. This Bill looks like it does not have that in there. Does this grant any additional authority to... the Governor to..."

Hannig: "The Governor has the authority with his veto pen..."

Mautino: "Oh, I agree... and as far as transferring enough

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money..."

Hannig: "... and particularly a case if we don't spend... you know, give him all the parts of the budget plan."

Mautino: "Oh, and I look forward to working with you on those parts of the plan. My question is, is there anything which would give extraordinary ability to eliminate some of the things out of the spending plan, over and above what we'd normally... 'cause he can normally move 2% around anyway, he can do some vetoes..."

Hannig: "Representative, I tried to read off everything that I'm aware of that's in this. Some of this is pretty mundane, and some of it's routine. And while I didn't want the Members to think that we were just going to, you know, run something..."

Mautino: "No."

Hannig: "... through here without, at least, some mentioning of it."

Mautino: "No, I appreciate that. And that's one of the things I've always been... I had some concerns about. In looking at the Bill, it looks like those who... That, in fact, reinstates some of the dollars that the... were originally cut out of the Governor's proposal. I believe the Nursing Home Care Act is set in statute where other lines aren't. I think you can't make a reduction to them without changing it statutorily. Would that be correct?"

Hannig: "This is just the language dealing with the nursing homes that reflects where the spending plan actually is, Representative. So, it..."

Mautino: "Okay."

Hannig: "... you know, it's..."

Mautino: "All right. That's..."

Hannig: "... puts it in statute awaited to divide the money."

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Mautino: "I appreciate that. At the... And I also I wanted to echo some of the comments that you've heard with other Members. It's your intention to work towards a balanced budget to meet the spending plan that we sent the Governor."

Hannig: "Yeah. The Constitution requires that we pass a balanced budget. I think everyone in this Assembly feels that that's an important goal, along with protecting the citizens of the state, whether they be recipients of state programs, or employees of State Government, or simply taxpayers. So, yeah, our goal all along from day one has been to pass a balanced budget."

Mautino: "And I see the staff has just given us a markup of what some of the revenues to fill these holes were gonna be in the borrowing. Does the borrowing allow for... Does that allow exactly to the level of spending, or does he have extra authority in the proposed borrowing package?"

Hannig: "Now, you're talking about the short-term borrowing?"

Mautino: "The short-term borrowing and also the proposed bonding of dollars to fill some of this operating cost."

Hannig: "Okay. The short-term borrowing would be... He would need approval by the Comptroller and the Treasurer, who I think have spoke in terms of what they believe is important conditions to get their approval. And they both talked in terms of a sound spending plan which is what we've put on the Governor's desk and a sound budget which is what we're debating today, or parts of what we're debating today. That would give him a billion dollars that he could use for cash flow purposes to pay the bills to the nursing homes, the hospitals, the pharmacies, and everyone else out there. And in the case where we can get a Medicaid match, it would help us bring in some of that federal monies that we need,

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as well."

Mautino: "So, in effect, we draw down to the end of year balance to a hundred and forty-one million but are gonna structure some of that borrowing which will then go at 50% back into a fund?"

Hannig: "Well, Representative, if you have a sound plan where your revenues exceed your expenditures, then you can go to the banks and say we need some short-term borrowing and you can pay the bills, and then as revenues become available you can pay that money back. So, that's, you know, the requirements by law are that we have to repay these funds within the fiscal year that we've borrowed them. So, it doesn't really give us a chance to roll it over, we have to be able to pay it back."

Mautino: "Okay. Well, with respect to the, you know, the Bill that's in front of it, I appreciate you answering those questions. I do have concerns that when we bring the... when we bring this budget to the Governor's desk it may be balanced, but it may only be balanced until tomorrow morning when the Ec & Fisc numbers come out. So, I guess what I was asking you is, does the amount of borrowing that's proposed in this plan..."

Hannig: "The amount of borrowing proposed here..."

Mautino: "... would allow him to cover that shortfall which will be reported tomorrow?"

Hannig: "It would give him some cushion that he can work with. But we started last fiscal year with over a billion dollars worth of cushion in the bank and now we're into a billion dollars in the hole. Hopefully, we can see the economy bottom out. Most economists think that we're in that part of the cycle, but usually, corporate and individual tax returns and some of those things that are important to us

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are lagging indicators, which means it takes several months before we begin to see that down at the Department of Revenue in collections, so..."

Mautino: "I fully understand. I mean we're going against... We started the backslide back in March. We've had our worst months. So we're comparing to the worst months as they start to move up on the revenue side. We hope that that picture will brighten up. And right now we're going against the time when we were not quite at rock bottom. So, those number should move."

Hannig: "Yeah."

Mautino: "What I want to get to just very simply is, he has that cushion in the budget. That's correct? We've got the our spending plan plus a cushion within the borrowing. I mean, this is very important."

Hannig: "We will authorize the Governor, should we pass a securitization or some type of plan along those lines. We'll authorize the Governor to have those revenues available, so that would give him some cushion, along with the short-term borrowing."

Mautino: "Thank you. I appreciate your honest answers to that. We've had... I know you've had a long Session with it. To the Bill, itself."

Speaker Hartke: "To the Bill."

Mautino: "Once again, I just say, that as we go forward on these it's my hope that the spending plan is, in fact, overbalancing the budget by about 250 million, because at least in the ability to do that borrowing, because if he doesn't we'll be back here on June 17th when the Senate hears or kills the Motions to override the vetoes which will occur. And then at that point, since they control the budget, everything's done. All of our add backs that were

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placed into the budget and the priorities of the General Assembly will have been defeated. So, I have that concern that that's how this'll play out. And at the end of the day when we finally see all the package, ya know, all the better hope, if we can put something that is balanced and truly balanced on his desk, I think all of us stand a much better chance."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Bassi."

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

Speaker Hartke: "Sponsor indicates that he will yield."

Bassi: "Thank you. A few comments, actually, to the Bill. With the exception of Kentucky, Illinois ranks far behind all neighboring states in funding DD and MI and we have major concerns about that. But even during this, a tight, an extremely tight budget year, we can't afford not to provide adequate DD-MI funding. We have an obligation to adequately fund our people, our human services, because they are our people and they can't just wait for proper care until the economy improves and state revenues increase. This budget, as it stands right now, restores critical funding for human services and it's balanced. It's a responsible budget. We're doing the right thing and we're doing it in a balanced manner. We want to be sure that there are no cuts to DD-MI. And I echo the concerns of the previous two speakers. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Morgan, Mr. Watson. Mr. Watson."

Watson: "Sorry, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that he will yield."

Watson: "Two quick questions. The intent of this Body is to send the Governor a budget that, while we did restore spending,

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it is... that is balanced?"

Hannig: "Yes. We need to have a package that all fits together and that when we add it up at the end of the day that it's balanced. He gave us some revenues. We passed some of those, there's some that remain to be done. We passed the spending plan. We need these budget implementation items, as well."

Watson: "Okay."

Hannig: "But the idea is that when we get done with all of the debate at the end of the day, the Governor will have a balanced budget that he can sign."

Watson: "And given the process we've gone through, do we have any reason to believe that he would make any cuts to this?"

Hannig: "Well, Representative, we've all worked very hard, I think, to try to do the best that we can with what resources that we have and those resources that we feel that we can find. And it's my opinion that if we can put this package on the Governor's desk in the shape that it's in, the rest of the pieces of this package that he'll have a balanced budget. He should be able to sign it and we should be able to move forward. There were some reductions in the Governor's budget that were difficult. I'm optimistic and am hopeful that he will not find it... I'm hopeful that he will not find it important... I'm hopeful that we will not drop the ball and force him to veto more of those proposals. If we do our job, I've every reason to believe the Governor will do his."

Watson: "Exactly. I appreciate the efforts that you and the rest of the Leadership has done for this."

Speaker Hartke: "Further discussion? Chair recognizes the Lady from Cook, Representative Flowers."

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

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please?"

Speaker Hartke: "The Sponsor will yield."

Flowers: "Representative, you've done a wonderful job on the budget, but I just have a few questions here. On page 50, Section 75, under the Children's Health Insurance Program..."

Hannig: "What is the question, Representative? I'm sorry."

Flowers: "I'm sorry. I didn't hear you."

Hannig: "What was the question? I'm sorry I didn't hear it. I did not hear your question, Representative."

Flowers: "On page 50, Section 75, under the Children's Health Insurance Program, specifically, Section... I'm sorry, on page 51, under (b)... You have it?"

Hannig: "Yes. We have it."

Flowers: "Okay. It says a child who is determined to be eligible for assistance, instead of 'shall'... It says 'may' remain eligible for 12 months. And that the family would have to reapply. Can you tell me..."

Hannig: "Representative, there was a request that we reevaluate the situation with these children on at least... on an annual basis, particularly, to look at the financial status that they find themselves and their families in. So, should someone see a significant increase in their family income, then this would give the department a chance... or someone gets a job in the family where they already have personal insurance, then this would allow the state to make the change. That's what this is intended to do."

Flowers: "Okay, but don't we already require that they turn in this information if a change occur? Because by law, we do allow them to work and make a certain amount of dollars before it's reported. And after it's reported, it's established that you are supposed to report. And we will

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still give you a certain amount of time just to make sure until you get on your feet."

Hannig: "And, Representative, I'm told that the current language provides that they have this... that they have this eligibility for 12 months, even if they report that their condition has changed and perhaps the breadwinner in the family has found employment where he or she has a... has insurance. So, what this says is, that when they report, that it would then be up the agency to determine if at that point it was not necessary to go forward with the state part of the insurance program."

Flowers: "Ya know, it would just concern me a little bit because these parents who we are forcing to work, chances are they don't have benefits, the parents, where is it that they would be allowed to take off their jobs to come into the office for this evaluation. How would that be taken into consideration, because maybe these parents, their income didn't change and it's just more difficult for them on the part-time job without benefits that they have already? And some of these parents have to work three part-time jobs to make ends meet."

Hannig: "Representative, the issue we're trying to address in a year where we have limited resources are those few cases but nevertheless enough cases to look at where someone has moved up the income ladder and we want to say good for them, but also to say now, the state will... you find yourself, you know... As a family member, you find yourself in a situation where you already have this insurance coverage and so why should the state continue to pay for this. So, we're not gonna to try to throw people off the rolls where they still need this coverage, but we're saying in cases where clearly they don't, then we ought to let

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them move on."

Flowers: "And I understand that and I understand exactly what you're trying to do. But again, I need for you to try to understand the hardship, because if you take into consideration the tracking that we've done of these parents, some of them have just gotten off of welfare because they didn't want to be bothered with the paperwork or they thought they were off already. And so we really don't know what has happen... we don't know what has happened to these parents, nor their children."

Hannig: "Representative, they'll have to deal with this through rule as far as the process on how they would come in and talk about this. So, this is something I think we can work with the agency on."

Flowers: "I would like to do that."

Hannig: "Okay."

Flowers: "And one more Section that concerns me is on page 67, 68 specifically, line 25. It says for the fiscal year beginning 2003 the municipalities shall decrease by 5 million the amount provided for public aid purposes. So, why is it that we're decreasing specifically by 5 million, when there's constantly people going off and coming on? And who's gonna... What's gonna happen to the people or the monies that we need to take care of these families in the cities? Because this is... Will the state pick up the tab, because we're saying here..."

Hannig: "Representative, I'm told that the city pays for this program. They believe that they're probably overpaying for the program now. And so, this is a process where they're gonna phase out the payments and try to bring what they actually pay more in line with what they think the actual expenses are. So, the city has... no, this is not

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something we're going to throw at the city that they haven't had an opportunity to negotiate with the state on. They're well aware of it. They understand it. I think there will be ongoing negotiations and discussions, as well. But, I think it's by agreement."

Flowers: "So, what safety net is involved?"

Hannig: "The obligation to provide services is still there. It's only a question of who pays and how much."

Flowers: "How will the city provide the services if we decrease their budget by 5 million? And the same people who are... We're not saying here, dependent upon the nature of the people whom you serve, we're saying that for the fiscal year beginning, whatever the circumstances may be, you will decrease by 5 million."

Hannig: "The state reimburses us... I'm sorry, the city reimburses the state for a cost of running the program. So, the state runs the program. We're not changing the eligibility of those people who need the program. So, anybody who qualifies for the program will still be served. There's some question, though, about this reimbursement between the city and the state. It's a question between two governments not... it doesn't affect the people that they serve. And so there... a belief that we need to make some adjustments in that."

Flowers: "So, will the city have to come back to the state and say, well, I know you told me to reduce it by 5 million but I need a extra 2 because of the workload or will we... will the city then send the people to the state?"

Hannig: "Well, the state will run the program and continue to run the program. It's just a question of how much does the city reimburse the state. And they'll continue to negotiate as those numbers change. That is, as the number

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of people who are in the program change, they'll change the numbers... the reimbursements will change. So, I mean, the point, though, that's important that I know you're very concerned about is that everyone who's eligible will continue to get services. There will be no one that will be cut. This is only a question between the State of Illinois and the City of Chicago on exactly how do we pay for the program."

Flowers: "So, once again, you're saying that no person will be held in harm's way as a result of the city..."

Hannig: "Right."

Flowers: "...reducing its budget by 5 million?"

Hannig: "That's correct."

Flowers: "These people... These people, Representative, you're telling me, will continue to be taken care of."

Hannig: "That's correct, Representative."

Flowers: "Thank you, Sir."

Speaker Hartke: "Chair recognizes the Gentleman from Peoria, Mr. Leitch."

Leitch: "Thank you, Mr. Speaker. The Gentleman yield?"

Speaker Hartke: "Gentleman will yield."

Leitch: "Picking up on the point of the last speaker, according to this we're, in effect, giving... the state is giving the City of Chicago \$20 million over the next four years?"

Hannig: "There was a negotiation between the city and the state on this issue and frankly, I was not a party to it, Representative, but I'm told that they came to this understanding on a number of issues and this issue reflects the agreement that they had on this program."

Leitch: "But the agreement... This agreement on page 67 says that the state is going to give the city 5 million bucks a year for four years to cover the costs."

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Hannig: "This is a piece of an overall understanding."

Leitch: "I know that they reached an agreement. I'm just trying to get an accurate description of that agreement. On page 67 it says the City of Chicago will discontinue paying 5 million bucks a year until a program that is costing \$20 million is picked up by the state."

Hannig: "That's what it says, Representative."

Leitch: "So, in this year where we're having such a difficult time with our funding with downstate schools and all the rest, we are giving the City of Chicago 20 million bucks under this provision over the next four years."

Hannig: "As I told you, Representative, there were trade-offs that were made on a number of items on some programs between the city and the state. This budget implementation language that you see here only reflects a portion of them. I don't have the entire package here in front of me. Again, I was not a part of the negotiations that occurred. But I can tell you that this part of it has to be done through budget implementation. Taken by itself, it may look like it's some kind of giveaway to the city, but I can assure you that the whole package was fair to both sides."

Leitch: "I just want the Members to understand that provision. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Macon, Mr. Mitchell. Mr. Bill Mitchell."

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

Speaker Hartke: "The Sponsor will yield."

Mitchell, B.: "Representative, I just... first of all I would like to thank you and all the legislative caucuses, as well as the Governor's Office, for working very hard on this budget. I'd like a clarification, if I could, in terms of Lincoln Development Center. What's in the budget for

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that?"

Hannig: "Yeah, Representative, this Bill doesn't actually address that, but my recollection is that we fully funded the facility in Lincoln."

Mitchell, B.: "Right. So... my question is that you feel comfortable that we'll have the resources, the revenues to fully fund Lincoln Developmental Center?"

Hannig: "Yeah, and that's the key. We have to still pass a number of revenue provisions. We still have to pass this budget implementation and one other. There's another part of the budget on bonding that we probably should pass to make it all fit together. I believe when we get the final package to the Governor we'll be able to go home and say we fully funded the spending plan that we passed on Friday and that we have every expectation that the items that are in that plan should become reality."

Mitchell, B.: "So, for instance, if 35 million is in the plan for LDC and all the revenues have been passed to date, you feel comfortable even in terms of the economic problems that we've faced in the last few months, that we'll have the resources to fund LDC?"

Hannig: "Representative, it will be a tight budget, but if our revenue projections prove to be on the mark perhaps even on the conservative side, ya know, there's no doubt in my mind that the Governor can make this work. I know that the Governor does not want to close facilities or lay off people, that he wants to try to continue to provide the level of services that we've become accustomed to in this state and to continue to keep facilities open for people who need those facilities and to continue to keep people in the... on the payroll in State Government that are providing those services."

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Mitchell, B.: "Great. Well, again, Representative, I want to thank you and all the Members for their hard work. LDC is a tremendously important to my area. It's not only important to the residents who live there, but for the economy of central Illinois, so I would certainly hope that we'll see it fully funded. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Coles, Mr. Righter. He declines. Chair recognizes the Gentleman from Cook, Mr. Giles."

Giles: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hartke: "Sponsor will yield."

Giles: "Representative Hannig, I think every year I stand before to talk about the Department of Corrections' budget. From FY02 to FY03 is there a... what is the actual increase in the Department of Corrections' budget?"

Hannig: "Representative, I don't have my notes from the spending plan in front of me so I would have to go back to my office and look. It's a billion dollar state agency, I can tell you that. The Governor is looking at his options, ya know. At one point he talked about closing Vienna, but that's now off the table. But it's a billion dollar agency."

Giles: "Okay, and I guess one of the questions that I'm trying to... I guess one of the questions I'm trying to ask is there... there is even with some of the proposed facilities closing, some of the layoffs that's in this department, we still have an overall increase in the Department of Correction budget, is that correct?"

Hannig: "Ya know, I'm not certain. I would have to look at my notes. It's... it's a billion dollar agency, but with what the Governor has... the Governor's made a lot of changes. He's proposed that we close facilities, then he proposed

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'em... then he suggested that we not. We've put in money to keep open other facilities like Sheridan. So, I'm sorry, Representative, this is... this is the budget implementation part. I'm trying to answer your question on the spending plan, but I just don't recall the answer."

Giles: "Okay. To the Bill. I just simply would like to say because I believe there is an overall increase and the Department of Corrections is a area that we need to continue to watch closely. Every... every fiscal year this particular agency is gonna continue to increase unless we continue... unless we by... on a detailed basis monitor every function in this department, we're gonna continue to have a department that will increase. I think part of our objective here is to decrease this department and the various functions in this department and you do that by having sound and rational programs, prevention type of programs that will... will keep our men and women out of this facility. And to give them training, to give them another opportunity to... to release themselves from this particular agency. I just... I just have some problems with every year that this particular department continues to increase. And it's a billion today, I'm sure that the overall budget of this department will exceed the actual amount of the deficit that the whole state has, at this particular time and we need to continue to keep a watchful eye in this particular department. Thank you."

Speaker Hartke: "Further discussion? No one seeking recognition, Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker, and Members of the House. This is a part of the budget package that we need to send to the Governor in order to make this whole puzzle come together. If we tie his hands and don't give him the...

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the... this Implementation Act, we very well force him to go into the budget and begin vetoing those items that we so very... so worked so very hard to try to restore. So, it's important that we pass the budget implementation Bills. This is the first of two and I would ask for your 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 4580?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish. Mr. Clerk, take the record. On this question, there were 98 Members voting 'yes', 18 Members voting 'no', 1 Member voting 'present'. And this Bill, having received a Constitutional Extraordinary Majority, is hereby declared passed. Mr. Clerk."

Clerk Rossi: "Introduction of Resolutions. House Joint Resolution 84, offered by Speaker Madigan, is assigned to the Rules Committee. Rules Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken June 2, 2002, reported the same back with the following recommendation: 'to the floor for consideration' to the Order of Senate Bills-Second Reading Senate Bill 2098; approved for consideration Floor Amendment #2 to Senate Bill 2287 and Floor Amendment #5 to Senate Bill 2288."

Speaker Hartke: "On page 2 on the Regular Calendar appears Senate Bill 2288. Representative Hannig on Amendment #5."

Clerk Rossi: "Senate Bill 2288 has been read a second time, previously. No Committee Amendments. Floor Amendment #5, offered by Representative... offered by Representative Currie, has been approved for consideration."

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Speaker Hartke: "Representative Currie on Amendment #5."

Currie: "This measure is the riverboat gaming tax increase exactly as the Governor proposed it. A \$1 increase in the head tax and a graduated tax rate not including the boats with the lowest receipts but establishing a new schedule for higher rates for those who are doing well. In addition, it imposes a sunset should the tenth license ever become operational. I'd be happy to answer your questions. This is the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #5? The Chair recognizes Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hartke: "Sponsor will yield."

Schoenberg: "Representative Currie, if and when the tenth license should be operational, how does that impact the horse racing fund... the Horse Racing Equity Fund?"

Currie: "How does it impact what?"

Schoenberg: "How does that impact the Horse Racing Equity Fund?"

Currie: "There's nothing in this measure that has to do with that issue."

Schoenberg: "So, if... well, you had just mentioned earlier that if the tenth... I guess what I'm asking you is, how is the horse racing subsidy impacted by what Floor Amendment 5 does?"

Currie: "It's not affected at all. This Amendment has nothing to do with that. This has only to do with an increase in taxes on riverboats as proposed by the Governor with an additional \$1 admissions tax. The difference between this and the Governor's original proposal is that this measure... would sunset. This new tax structure would sunset if that tenth license becomes operational."

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Schoenberg: "So, when the tenth license becomes operational, we revert back to the current..."

Currie: "That is correct."

Schoenberg: "... the current tax structure?"

Currie: "That's correct."

Schoenberg: "So, we would be arguably lessening the tax burden on the existing boats?"

Currie: "If that tenth license becomes operational."

Schoenberg: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House... Representative Black."

Black: "Yeah, Mr. Speaker. To the Amendment."

Speaker Hartke: "To the Amendment."

Black: "If you'll go back, Ladies and Gentlemen of the House, and review all of the language and rhetoric you've heard yesterday about how the 16 hundred gambling positions could cure everything from premature baldness to eczema and psoriasis and certainly all of the financial problems of the state from now until time uncertain. But... and you also heard language that this whole thing is the devil's work. I would reject both of those extremes. But let me just say a few things about this Amendment. It's very unusual to find us levying a tax in the State of Illinois that has a sunset clause. I think that's a good idea. I have filed sunset clauses in the last week on one or two taxes but those aren't considered by Rules and I understand that that's the process. But the gambling industry can come to this chamber at the last minute and write an Amendment that they want that's beneficial to them. Now, do you think that any dollar paid in taxes under this Amendment will not generate an equal amount or greater

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amount to the riverboat gambling business? If it didn't they wouldn't... you wouldn't see this Amendment. And I came down here almost 17 years ago, I knew this was an imperfect process but it was a process that our forefathers gave us that's so much more perfect than anybody else has been able to try. But over the years I have become somewhat disillusioned and somewhat cynical at the power, the raw and unbridled power, that certain lobbying groups have, and we acquiesce to that power every time we let them have their way. You know the process and 99% of the lobbyists here are good and decent men and women who give you the entire story. They're experts in their field. They'll tell you the pros, they'll tell you the cons. But every once in a while you encounter a lobbyist as I did this morning on my way into the Capitol who want to taunt you with their arrogance, and taunt you with an Amendment that you filed, and taunt you with how many votes you'd get if you had the courage to call it, even when that lobbyist knows I don't have anything to say about whether my Amendment is called. But when the day is done all I have left in this process is my self respect and my integrity. And I've got to tell you over the last 16 1/2 years those have been bruised and battered and they're bloody, but by god I can still get up in the morning and look in the mirror and shave and I don't have to avert my eyes. But if I vote for this Bill, I can't say that. Because I know the process and many of you know the process by which this Amendment is before us now. It's not very pleasant, kind of like watching sausage made. If you ever get a chance to watch sausage being made you'll never have it for breakfast again. And you stick around here long enough and when you see how laws are made sometimes it leaves a bad taste in

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your mouth. With a little luck and a little mouthwash, maybe you'll feel better in the morning. But I won't feel better tomorrow morning. 'Cause I have seen the ultimate arrogance of power in this chamber, in this Body, in this General Assembly, by a nonelected member, a lobbyist, a hired gun, who had the unmitigated gall to taunt me, an elected Member of this Body, because he didn't agree with my position, he didn't agree with my Amendment. And that is his right but he has no right to taunt an elected Member of this Body and indirectly taunt those who send him or her here. So, Ladies and Gentlemen of the House, you do what you want with this. I intend to vote 'no'. And if it passes, let me say on the record, I will tender my resignation from this House. I will instruct the State Board of Elections to remove my name from the ballot and I will not be a candidate for reelection and I leave this chamber because there are some things more important to me than what I see going on here and I'll not be a party of it. So, go ahead and vote. And if it passes, I swear to you, my resignation will take place. I will instruct the Board of Elections to remove my name from the ballot. I will no longer be a part of a process that I continue to have doubts as to whether or not we are the voice of the people or the lobbyists are the voice of their special interests. You do what you think is right."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Hamos."

Hamos: "Well, Chairman... Speaker and Ladies and Gentlemen, I didn't really expect to be following that dramatic statement and really, just on a personal note, let me say that I hope that the previous speaker will reconsider since I think he is clearly one of my favorite people on the

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floor. But, to the Bill."

Speaker Hartke: "To the Bill."

Hamos: "I'm also pretty amazed by the power of the gaming industry as evidenced by the fact that earlier this year Representative Garrett and I had the temerity to suggest that these licenses really had a value far and above what in fact we require as an application fee for this very special privilege to run a casino in Illinois. And we were squished like ants in our efforts at that time. So, I truly do very much firsthand appreciate the power of this industry. However, where we are today at the final hour, let me hold up for you a Crain's Business List just from last week of the largest tourist attractions. And of the top eight attractions, four of them are the four boats around the Chicago Area and their gross revenues equal \$1.2 billion. So, no one here should feel like we have to have a bake sale for this industry by talking about increasing taxes. Where we are today at this... in these final hours is a recognition that we have a budget to balance. Yesterday's Bill on gaming, which I did support, was in fact the industry's, the gaming industry's favorite Bill. That's the one that would have allowed us to reallocate those 12 hundred positions. This is not, actually, the Bill that they wanted. This is a Bill that we need to balance the budget. A hundred thirty-five million dollars is... the Governor was given or had to, in fact, line item out a hundred thirty-five million dollars worth of budget increases that we put in that budget, what would be at stake, in fact, are the child care copays, are, in fact, the increases for mental health and developmental disabilities, are, in fact, the increases for categorical... for the mandatory categoricals in the

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education budget. Those three alone are more than a hundred thirty-five million dollars. So, we can't afford to turn our backs on this Bill. And for that reason, I urge an 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Madison, Mr. Davis. Steve Davis."

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. I, too, hope that my colleague from Vermilion would reconsider what his statement was because I'd hate to see him leave this chamber. I think he's one of the more colorful characters, one of the more knowledgeable people in this chamber and I can understand his opposition to the Bill that came up before this Body yesterday. However, this Bill, I think, is the Bill that everybody in this chamber could vote for. It's a Bill that increases the taxes on riverboat gaming and it gives the State of Illinois a hundred and thirty-five million dollars that they were looking for initially. I don't know... We have had to hold our nose for many worse votes than this in this chamber. And I know that Mr. Black has had to hold his nose in this chamber for many other votes. So, let me just say this, this has one provision in it that didn't... that was not in the Senate version and that is to put a sunset on the Bill. I don't find that that is that hard to vote for, for the Members in this chamber. And I would encourage an 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Mulligan. Shhh. Can we have some order in the chamber, please."

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, besides the head tax increase of a

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dollar, what will the other increases on casinos be in this Bill... or this Amendment?"

Currie: "It's a scheduled increase. The boats with the least revenue do not, in fact, have an increase in tax. It's basically 2 1/2% on boats up to those that earn up to a hundred million. Between a hundred and a hundred and fifty million it goes up 2 1/2%, from 35 to 37 1/2. And then there are two new categories: boats that gross between 150 and 200 million are taxed at a rate of 45%, today 35%. And boats at 200 million or more at 50% rather than the 35% they are taxed today."

Mulligan: "So, in the second part of the Bill with the tax on the boats, how much revenue is that supposed to generate?"

Currie: "Approximately a hundred and thirty-five according to the Bureau of the Budget."

Mulligan: "And how much is the head tax supposed to generate?"

Currie: "The head tax contributes about \$19 million to that total."

Mulligan: "And is that based on the head tax as it's currently applied each year?"

Currie: "The head tax today is \$2 per person..."

Mulligan: "But is that based on the numbers that generate the amount that's currently derived?"

Currie: "This is an Economic and Fiscal and Bureau of the Budget calculation and I assume that they take into account all kinds of things."

Mulligan: "The head tax is probably the easiest tax for the boats to assume because normally that's passed along. And if they give away freebies they don't always use that head tax and it's easier not to click as many people on. So, a head tax is probably, unless we're going by strictly what they've gone before, it's my understanding that a head tax

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is very easy to fudge on. And that, I guess, the only way we can estimate it is on what they currently collect."

Currie: "But they do have turnstiles, Representatives, so that's supposed to give us some idea how many people are actually on and off the boats. That's a check."

Mulligan: "All right. Thank you."

Currie: "It's a way of checking their figures."

Mulligan: "No. It's my understanding, in the past when this was discussed, that this probably the easiest tax because it's the easiest to get around."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Chairman. Will the Gentleman yield, please?"

Speaker Hartke: "The Gentleman will yield."

Slone: "This has... Right now, I believe that the taxes on the adjusted gross revenues are distributed in, I think, in three different categories. Is that correct? The Lady yield. Would the Lady yield? Excuse me."

Currie: "There are different... Are you asking about the change proposed here or current taxes?"

Slone: "I'm sorry."

Currie: "Current..."

Slone: "Current taxes based on three categories. Is that right?"

Currie: "Five different categories. This would add three additional categories."

Slone: "Can you tell me which boats, there's only ten, fall into these eight different categories?"

Currie: "I don't know but I believe that the Joliet... two of the... two boats in Joliet, I believe, the Aurora boat, and I believe the Elgin boat, are among the heaviest in terms of adjusted gross receipts."

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Slone: "I'm sorry, Representative Currie, I couldn't hear you."

Currie: "I believe my answer was accurate."

Slone: "But, I couldn't hear you. I couldn't hear the end. I'm sorry, something about the Jol... two Joliet boats, the Elgin boat. I just couldn't hear what you said."

Currie: "I believe the Elgin, the Aurora, and the two Joliet boats are the highest income producers, would have the highest adjusted gross revenues."

Slone: "And would all three... all four of those boats fall into the category of two hundred million and 1 dollar or more that would be taxed at the 50%?"

Currie: "Yes."

Slone: "Great. Okay. And the admission tax would apply across the board to all of the... all of the boats. Is that right?"

Currie: "Except for the lowest income producing boats, the new structure would apply to all the rest, but the... you would continue to have graduated schedules. Yeah, but the admission tax would apply to everyone."

Slone: "It does apply to everyone? Okay."

Currie: "Yes."

Slone: "And did I understand that there is a sunset on this or there is not a sunset on this? Sunset?"

Currie: "This particular measure proposes a sunset."

Slone: "Okay. It doesn't add any of the slots that we were referring to in the earlier version of this Bill?"

Currie: "That's right. There are no reallocations nor increases in gaming slots."

Slone: "Okay. There was a plan at one point that added 10% at each of the existing levels to the tax... to the existing HER categories which I believe you said are five categories, currently, and at 10% at each level, and

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would've had a yield of a hundred and eighty million? This one is..."

Currie: "I believe that was in the measure we voted on yesterday. And that was the measure that was preferred by the casino owners. It also would have involved a reallocation of the existing unused gaming positions."

Slone "That Bill would have?"

Currie: "The Bill that failed. The industry's Bill that failed yesterday."

Slone: "This one, although it doesn't have the allocation of the new positions, changes things in such a way that it generates somewhat less revenue than they... the previous one did."

Currie: "This was the Governor's proposal, Representative. The Governor did not propose a reallocation to gaming positions. He proposed a measure that would bring in about a hundred thirty-five million dollars a year from increasing the head tax and the tax structure, the tax rate for riverboats doing business in Illinois."

Slone: "Thank you, Representative Currie."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I just would like the record to reflect that my part-time job which is at a marketing and public relations firm does have some gaming clients. I just wanted to have that on the record. However, I will be supporting this Bill."

Speaker Hartke: "There's no one seeking recognition, Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. Let's be quite clear, this is not the industry's Bill. We had a measure yesterday that was supported by the casino

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riverboat industry yesterday, that measure failed. The industry has consistently opposed an increase in the tax without a reallocation of gaming slots. This measure does not meet their needs. Of course, the industry prefers a date, a time at which this tax measure would stop. That measure... that part of this Bill, obviously, makes the tax increase more palatable to them. But this is not their Bill. This is the Governor's proposal. This will help us fill the hundred... with a hundred thirty-five million dollars help us fill the budget shortfall. I urge your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #5 to Senate Bill 2288?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2288, a Bill for an Act in relation to budget implementation. Third Reading of this Senate Bill."

Speaker Harte: "Representative Currie. This Bill, having been fully debated on Second Reading, the question is, 'Shall the House pass Senate Bill 2288?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. McGuire. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 81 Members voting 'yes', 33 Members voting 'no', 3 Members voting 'present'. And this Bill, having received a Extraordinary Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Feigenholtz. For what reason do you seek

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recognition?"

Feigenholtz: "Thank you, Mr. Speaker. Again, we have a birthday that we'll be missing if we get outta here. On June 4th, Representative Mary Kay O'Brien will be celebrating her 37th birthday. There's a cake down there for everybody and another little cake thanking her for bringing us baby Mason. Thank you. Happy birthday."

Speaker Hartke: "Happy birthday, Mary Kay. We're all happy for you. On page 2 of the Regular Calendar appears Senate Bill 2287. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2287 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Hartke: "Representative Currie on Amendment #2."

Currie: "First of all, I think I need to table or withdraw Amendment 1."

Speaker Hartke: "Amendment #1 is in Rules."

Currie: "Amendment 2 presents a small change in the operation of the grant in capital program for museums that are on public land. It expands the definition to include performing arts facilities and it establishes a different schedule for matching funds from museums depending on their total attendance, so that those with a smaller attendance don't have to provide a match for any money they receive from the program. Those with slightly more are required to pay a dollar for a dollar. And the very big ones would be required to pay at the rate of \$2 for every \$1 in state funds they receive. I'd be happy to answer your questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Giles."

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Giles: "Thank you, Mr. Speaker. Mr. Speaker, is Amendment #2... I don't see... it has not come up on my screen on my laptop. Could you make sure that someone... that Amendment #2 is up and visible?"

Speaker Hartke: "Mr. Clerk."

Clerk Rossi: "Representative Giles, the Amendment is on the laptop. You might want to do an update on your computer."

Giles: "Okay. I just did one about seconds ago, so... but we'll try it again here. I did that as well."

Speaker Hartke: "The Chair recognizes the Gentleman from McHenry, Mr. Franks. Mr. Giles, I'll get back to you. Mr. Franks."

Franks: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Franks: "Barbara, I just read the Amendment. And could you explain what it does? I'm looking at the different sizes and I guess it's based on the attendance for these museums up to 300 and between 300 and 600 and then over 600 thousand."

Currie: "Right."

Franks: "What match are we talking about?"

Currie: "If one of these entities is eligible for state funding, that's the match we're talking about."

Franks: "Okay."

Currie: "Grants from the state to these museums. And the theory here is that the museums with smaller attendance are less likely to be able to meet a significant match, so we've established three different categories. And, as I say, the ones with 300 thousand or less in attendance would not be required to match in order to be able to participate. Those between 306 thousand would do a dollar for dollar match."

Franks: "Okay."

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Currie: "And those that are of significant size and have very significant attendance would be required to do a \$2 match, which is current law."

Franks: "Okay, that's..."

Currie: "Currently, they all have to pay \$2 for every dollar they get and the idea is that some of the smaller museums would like to participate and they can't afford to the way the structure is currently set."

Franks: "So, this would help a lot of the counties that have small museums who aren't based in Cook County for instance with the big ones that everybody knows about, but like they have a historical society, or if you have a railway museum, or something like that, they'd be eligible for state bonds?"

Currie: "Right. Now, they would still have to have attendance of 300 thousand a year. So, we're not talking about teensy, teensy museums."

Franks: "Right."

Currie: "It would still be something of significant size and significant contribution."

Franks: "But... I see in subsection (a) of the Amendment, it says for a public museum with attendance of \$300 thousand or less there's no match required."

Currie: "No match required."

Franks: "So they would still be eligible for public funds but they wouldn't have to actually match those funds themselves."

Currie: "Right. I'm sorry. You are right, right."

Franks: "Okay. Thank you. I think it's a good Bill. Thank you."

Speaker Hartke: "Further discussion? Mr. Giles. You're okay? He declines recognition. Further discussion? Seeing that

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no one is seeking recognition, Representative Currie moves the adoption of Floor Amendment #2. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2287, a Bill for an Act in relation to budget implementation. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hannig. I think we've heard an explanation of the Amendment. Representative Currie."

Currie: "The Bill is the Amendment. I'd ask your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2287?' All those in favor signify by saying 'aye' or voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? 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 100 persons voting 'yes', 15 persons voting 'no', and 1 person voting 'present'. And this Bill, having received an Extraordinary Constitutional Majority, is hereby declared passed. On Supplemental Calendar #3 appears Senate Bill 2098. Mr. Clerk, read the Bill. Representative Coulson."

Clerk Rossi: "Senate Bill 2098 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed. A fiscal note, a balanced budget note, and a state debt impact note have been requested on the Bill and those notes..."

Speaker Hartke: "The Bill will remain on..."

Clerk Rossi: "... have not been filed."

Speaker Hartke: "Representative... Representative Scully."

Scully: "Mr. Speaker, I'd like to withdraw those fiscal notes."

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Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2098, a Bill for an Act concerning citizen assistance. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Senate Bill 2098 creates the Senior Pharmaceutical Assistance Act, creates the Senior Pharma... Pharmaceutical Assistance Review Committee to gather information and advise state agencies concerning pharmaceutical assistance for Illinois seniors. It also creates the Senior Health Assistance Program within the Department on Aging to provide outreach and education to seniors on available prescription drug programs and requires the Illinois Comprehensive Health Insurance Board to study a catastrophic pharmaceutical assistance coverage option. Requires the reports to the General Assembly and the Governor. And I would appreciate your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Mr. Franks."

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

Speaker Hartke: "Sponsor will yield."

Franks: "Representative, this is the Bill we had in the Aging Committee about a month ago, is it not?"

Coulson: "Yes, it is."

Franks: "Okay. At that time we had discussed all the things that you wanted to do with this Bill and in the committee there was testimony from the Department of (sic-on) Aging that they're already doing almost all the things that this Bill wants to do. Correct?"

Coulson: "Thank you, I just needed to get a reminder of what they said in committee. The concern was that they have a 47% busy signal with their current help line."

Franks: "Right."

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Coulson: "And this Bill is to assist in more outreach in helping with that and I believe there is money in the new current budget for that assistance."

Franks: "I just wanted... I just wanted to really get to what the Bill does, because it has such a grandiose name and big title I don't want people to think that this Bill does more than what it really does. Basically, is what this Bill doing is paying for an 800 number for seniors to call to see if they qualify for circuit breaker or some other governmental program."

Coulson: "It creates an 800 number, but it also provides for a review committee to gather information and advise state agencies and also requires a analysis by the Illinois Comprehensive Health Insurance Board to study a way to have catastrophic pharmaceutical assistance coverage. So, what we're trying to do is move along in a concerted fashion to continue our assistance that we've already started for seniors prescription drug coverage."

Franks: "Which I think is an admirable goal, and how much will this cost?"

Coulson: "The department estimates an annual fiscal impact of \$140 thousand. First year fiscal impact... then they say 166, 979 and that... oh, that's because there's \$9,980 in set-up costs and they'll also have some... about \$15 thousand in reconfiguring (sic-reconfiguring) telephone equipment and additional installation."

Franks: "Okay."

Coulson: "But as I mentioned before, there is currently in the budget, money for this and additional money to make sure we can do the senior help line."

Franks: "Well, I remember in committee that was the... I know the Department of (sic-on) Aging wanted to do this, but what

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they were really looking for was new money to make sure that we were able to do that. As long as we have a revenue source to take of this... can you tell me where in the budget we have this, because it was my understanding that the Governor had taken out, I think, a million dollars or something for this outreach program, unless that's a different program?"

Coulson: "There is a \$2 million line item in the Department of Public Aid budget for senior assistant hotlines. That is a million dollars of GRF and matched money and that's why we would put it in the Public Aid budget."

Franks: "Okay. Well, I appreciate that. To the Bill."

Speaker Hartke: "To the Bill."

Franks: "I encourage my colleagues to vote for this Bill. It will help our seniors to acquire help with their prescription drugs. But let's be honest and very clear what this Bill doesn't do. This Bill will not help any senior who doesn't qualify for circuit breaker. So, if you have a senior in your district, as we all do, who makes more than \$21 thousand a year or if you have a couple living together, seniors, who make more than 28 thousand or a three-person household who makes more than \$35 thousand a year, this Bill will not help them. This is a start, folks, but we could do much more. We passed Bills out of the House, House Bill 4000, we debated and the Department of Public Aid has put that into their ideas this year to help save money. We passed a Bill, House Bill 4001, this year that would require the nine state agencies that purchase prescription drugs to do it under one roof so we can save the state millions of dollars, and that's still sitting in Senate Rules. Last year this Body passed House Bill 2236 to save our senior citizens money. We passed

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comprehensive Bills to not only save the State of Illinois money in the purchase of prescription drugs, we've also passed Bills to save our seniors, personally, money on their prescription bills. And now we come up to last day of Session and we're looking to put in a hundred and fifty thousand dollars to set up a hotline for seniors to call. It's something we should be doing, but it's not nearly enough. Please vote 'yes' for this."

Speaker Hartke: "Further discussion? Chair recognizes the Lady from Cook, Representative Monique Davis."

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

Speaker Hartke: "The Sponsor indicates that she will yield."

Davis, M.: "Representative Coulson, is the Department of (sic-on) Aging still opposed to this legislation?"

Coulson: "Not to my knowledge, we have been able to..."

Davis, M.: "They're listed on our analysis."

Coulson: "Originally, they were opposed because of the fiscal implications, but because we've put the money in the budget... okay, they are neutral."

Davis, M.: "Okay. In their budget, I don't recall at the moment, but in their budget was there an increase in their budget to make a person or persons available to do this new work?"

Coulson: "There is not new money in the Department of (sic-on) Aging's budget, but there is money in the Department of Public Aid to be utilized for this purpose. It was done that way in order to receive matching federal dollars. So, with a \$1 million state appropriation we actually can have \$2 million to go to this plan."

Davis, M.: "Well, my... I'm concerned about the fact that the Department of (sic-on) Aging has to coordinate with other agencies. Is that correct?"

Coulson: "Yes."

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Davis, M.: "So, this is a new and added responsibility. So, we didn't put any new dollars in their budget to make this person or persons who have to do the coordinations available? We didn't put in any new dollars so that that person would be available in the Department of (sic-on) Aging?"

Coulson: "The... the Department of Public Aid can actually find out if there is a need for additional resources or additional employees at the Department of (sic-on) Aging..."

Davis, M.: "Well, that's fine, but according to your Bill they're not the coordinator of this project."

Coulson: "No."

Davis, M.: "The coordinator is the Department of (sic-on) Aging."

Coulson: "Correct. Okay. Public Aid has to do a time study to draw the matching funds and at that point you can decide if there is a need for additional employees."

Davis, M.: "Because you know, the Department of (sic-on) Aging is a very small agency."

Coulson: "I'm very well aware of it. I'm the Minority Spokesperson on the Aging Committee and we don't want to overstretch their capacity. However, their..."

Davis, M.: "Well, we don't wanna take..."

Coulson: "...concern was getting the money, not necessarily employees."

Davis, M.: "Well, those who are providing service at the present time, we don't want them to have to reduce the existing service that they provide in order to coordinate this new project. And if we're expecting the Department of Public Aid to do so, then perhaps in the Bill they should be listed as the coordinator rather than Department of (sic-on) Aging. I would as... I would probably guess

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that's why the Department of (sic-on) Aging was opposed to this Bill."

Coulson: "The Department of Public Aid, though, can do the hiring and have them do this work with the additional money that is in the budget."

Davis, M.: "I will support your legislation, but I'd like for it to go on record that I am concerned that the Department of (sic-on) Aging is the coordinating agency, but the expectation according to your response to my remarks, the expectation is that the Department of Public Aid will provide persons or persons needed. Is that correct?"

Coulson: "If necessary, in the study."

Davis, M.: "Okay, I'll accept that. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass... Representative Coulson.'"

Coulson: "Can I... Can I close?"

Speaker Hartke: "Yes, you may. I'm sorry."

Coulson: "Thank you very much. I'm sorry, I don't want to take too much time, but I would like to say this is a good Bill. It's definitely needed, because we need to coordinate the wonderful programs that we've been able to provide to senior citizens in the State of Illinois. The Circuit Breaker Program for pharmaceutical coverage, as well as the new senior care program that is just gonna be starting as of, I believe, yesterday, if that was June 1st. We have come a long way on senior pharmaceutical drug coverage. This will assist us to continue to help our seniors as they need more prescription medications. And I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 298 (sic-2098)?' All those in favor will signify by

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voting 'yes'; those opposed vote 'no'. The voting is open. 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 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received an Extraordinary Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Rossi: "Committee Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measure was referred, action taken on June 2nd, 2002, reported the same back with the following recommendation: 'to the floor for consideration' House Joint Resolution #84. Supplemental Calendar #4 is being distributed."

Speaker Hartke: "On page 2 on the Regular Calendar appears Senate Bill 2210. Mr. Beaubien. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2210, a Bill for an Act regarding taxes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2210, a Bill for an Act regarding taxes. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an Illinois Department of Revenue Bill. It amends the Department of Revenue law within the Civil Administrative Code, the Illinois Income Tax Act, and the Retailers' Occupation Tax. Essentially, it does the two main things. When there's a refund due to a taxpayer who has a lien by the State of Illinois, owes child support, other debts to the state, past due federal taxes, or taxes owed to other states, there's a priority that's being set

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up in the statute in that order as to how that refund is disbursed to the agencies that have a lien against the refund. And it goes to that agency as opposed to... as opposed to the taxpayer. The second item will clear up a problem the Department of Revenue's had for many years. When they are ready to release a lien against property, they send the lien... they release a lien to the property owner or to the taxpayer and in about 30% of the cases they do not, in fact, ever file them. So, when they go to sell property or go to do something or get a credit report they have to go back to the state and get an additional second release of lien. So, under this Act, the Department will, in fact, file the lien and charge the taxpayer for the cost of filing that lien and that's the sum and substance of the Bill. It passed the Senate unanimously and I can think of no reason that anyone would oppose these two provisions. And again, it is a department Bill. Thank you very much."

Speaker Hartke: "Is there any discussion on Senate Bill 210 (sic-2210)? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 2210?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Schoenberg, 'aye'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'aye', 0 voting 'no', and 0 voting 'present'. And this Bill, having received an Extraordinary Constitutional Majority, is hereby declared passed. On page 3 of the Regular Calendar appears House Bill 5686. Representative Hannig on the Order of Concurrence on Senate Amendment #2."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House.

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This is the second budget implementation Bill that I asked that we concur in. Let me walk through the items that are in the Bill very quickly and then I'll be happy to answer questions. Item #1, it transfers a hundred and sixty-five million from a number of special funds to the General Revenue Fund. This is a concept that you first saw with the bare bones budget that the Governor has adopted. We have some State Police testing of DNA. We have state employees insurance coverage, which is similar to a Bill that we passed already in the House that would allow state employees to... that are already covered to not be covered... or not to be required to have state insurance. And the reason we need this, is that we believe that the Bill that we passed was actually technically flawed. \$80 million transfer from GRF to Tobacco Settlement Fund. The tobacco money comes in once or... twice a year and this allows for cash flow, creates the Lincoln Presidential Library and instructs the Comptroller to transfer \$3 million from GRF to the Presidential Library and Museum Operating Fund. So, we know that that building is nearing the end of construction and it sets up a process whereby we can operate it. It increases the percentage of deposits of income tax proceeds to the Income Tax Refund to ensure that there's enough money in that fund to pay the refunds. 1% increase in the transferability between lines for Fiscal Year 2003, only. That's to give the Governor some additional flexibility in a difficult year. Reduces the amount of hotel tax revenues deposited into the International Tourism Fund. We transferred \$20,723,300 from special funds non-GRF Funds to the Statistical Services Revolving Fund. This is something we do annually. We transfer \$1.2 million to the Violence Prevention Fund

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from GRF to run that program. For one year, we increased the Road Fund cap and the Department of State Police and Secretary of State. We maintained the suspension of monthly transfers from GRF to the School Construction Plan that will not... that change, which we have done for a number of years, will not cause any problems with the School Construction Program that's under way. Creates the Family Care Fund to reimburse medical providers and establishes a \$5.5 million annual contribution from the electric utilities to the Public Utilities Fund. This is by agreement between the Illinois Commerce Commission and the utilities to keep the fund from going broke. It redirects a quarter percent of the sales tax the state... to the state from local governments. This is the photo processing change, photo processing tax change. And it makes some additional technical changes, as well. So, those are the highlights of this Budget Implementation Act. Again, it's not enough just to put a spending plan on the Governor's desk. He needs the revenues, which we've given him. He needs the budget implementation. And he'll need the bonding as well. So, this is another piece of the puzzle. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Jackson, Mr. Bost."

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

Speaker Hartke: "Sponsor indicates that he will yield."

Bost: "Yeah. Gary, on page 22, is an Amendment that... and I believe that's what I'm dealing with here. Originally, the transfer from personnel items was only at 2% and now it's been moved to 3%. Can you tell me why and how that came to pass?"

Hannig: "Yes, Representative, I'd be happy to. First of all,

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under current law the agencies have the ability to transfer 2% within their line items with the understanding though that they cannot take money out of the personal services. The intention of this legislation is for one year to make that 3%. So, it would still have... it would still have the prohibition of the money coming out of personal services but it would give the Governor some additional flexibility in his other lines because we know it indeed is a tight budget. So, we don't want him to be forced to make decisions to perhaps lay people off because he doesn't have this flexibility. So, the idea is to allow him a little bit extra flexibility in nonpersonal service items for one year."

Bost: "Okay. I just need to clarify on the record that it's not intended to lay people off. My other concern would be that it... then it would be transferred, say for instance, from a correctional facility in my area to someone else, where I would have people laid off in my area but hired someplace else. Is that the intent?"

Hannig: "No, Representative. Again the intent is to actually try to avoid situations where the Governor might find himself, when we're not in Session, in a situation were he's running out of money in a line and perhaps has money in another line and not a personal service line but some other line that he'd like to transfer. So, we want to give him the ability to manage his agencies in this tight year. We want to give him a little bit extra ability to manage his agencies in this tight year. But not, this should do... this should actually make it easier for him to keep the... to keep the different correctional facilities and mental health facilities and all the agency operations open and running."

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Bost: "Okay. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Currie. She declines recognition. The Chair recognizes the Lady from Peoria, Representative Slone."

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

Speaker Hartke: "The Gentleman will yield."

Slone: "Representative Hannig, I'm sorry I don't have the actual Bill in front of me. One of the items in here, according to our analysis, the heading on item 4 in our Democrat analysis is an \$80 million transfer from the General Revenue Fund to Tobacco Settlement Fund. And in the text it says, to transfer \$80 million from the Tobacco Settlement fund to GRF, which is it and what is that for?"

Hannig: "Well, actually, Representative, we get this money on the Tobacco Settlement Fund, I believe it's twice a year. And what happens is that we try to pay the bills and the programs out of there on a monthly basis. So, from time to time we've run out money in the fund. So, this allows us to put GRF into the fund so that we can smooth out, you know, smooth out those semiannual payments. And then as we... as the payments come to us from the tobacco company we can take the money out. It's an inter, it's an inter fund transfer is really what it boils down to. It's like if you take money from your checking, your savings... your checking account and put in your savings and then move it back and forth. It's cash flow."

Slone: "Okay. So, they're not... the Governor's not currently authorized to transfer money between the Tobacco Settlement Fund and the General Revenue Fund and vice versa, unless we pass this?"

Hannig: "Yeah. And they ran into some problems where they

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couldn't pay some Bills this last year, so he asked for this additional authority to help us with the cash flow."

Slone: "He couldn't..."

Hannig: "He couldn't... he couldn't take... he was not authorized to take money from the General Revenue Fund and simply deposit it into the Tobacco Settlement Fund."

Slone: "The Tobacco Settlement Fund spends money on what?"

Hannig: "The tobacco money and it goes out for a number of things, like to our local health, I think our local health departments get money. You have your smoking cessation. This is the tobacco money. When we hear that discussion..."

Slone: "Yeah, yeah, yeah."

Hannig: "...about what's happening to tobacco money, it's in this fund."

Slone: "Yeah. Aren't we dumping a fair amount of tobacco settlement money into the General Fund already?"

Hannig: "So, for example, when we start the fiscal year there'll be a zero balance in that fund. We've spent it all out by June 30. And until we get a check from the tobacco companies, we can't spend any money. But this says, well, let's put some GRF in there for a while. In fact, I'm told that we do do this every year, Representative. So, I misspoke earlier."

Slone: "So, we're already authorized to do this. Or did this just change how much..."

Hannig: "We do the..."

Slone: "...we're authorized to do?"

Hannig: "We authorize it a year at a time, Representative. It's not... it's not a forever thing."

Slone: "Okay. This includes the state employee insurance, health insurance opt-out, that we've talked about..."

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Hannig: "Right."

Slone: "... as a possible revenue producer?"

Hannig: "Yeah. That's similar to what I think Representative Poe..."

Slone: "Right."

Hannig: "... passed."

Slone: "Yeah."

Hannig: "It's almost... it's the same plan, but I'm told that the Bill that they passed is technically flawed. So, rather than have the Governor amendatorily veto it and then deal with it in November, when we come back for Veto Session, this fixes it. So, we can put a correct Bill on the Governor's desk."

Slone: "And what is the anticipated revenue increase from this?"

Hannig: "Whatever it was from Representative Poe's Bill, I think it would be the same here."

Slone: "Well, we have lots of numbers and they're not all the same. Okay. Photo processing is in here, too, right?"

Hannig: "That was part of the package that the Governor presented to us on last Monday and it's in here."

Slone: "And the revenue..."

Hannig: "It's in here. It is not a new tax."

Slone: "...right. It's a reallocation."

Hannig: "It's a reallocation."

Slone: "From this local governments to the state."

Hannig: "That's correct."

Slone: "And how much do we hope to add to the budget?"

Hannig: "I think it was like \$25 million, is my recollection."

Slone: "Okay, is there anything else in here that, in effect, constitutes a revenue enhancement from this long list of stuff that's in here, to the General Revenue Fund?"

Hannig: "There's the transfer reduction of the transfer from the

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hotel tax that's deposited into the fund, into the Tourism Fund, from 6% to 4%. I mean, that's something that could possibly be reviewed as a different change in amounts of money collected. This is not a plan to do new taxes. I mean, we've been voting for the riverboat tax and we've been ro... voting for the..."

Slone: "Yeah, but these are revenue..."

Hannig: "And I've tried to make it clear..."

Slone: "... these are other types of revenue enhancements, are they not?"

Hannig: "And I've tried to make it clear that the change in taxes in photo processing is in here, so that no one's caught sleeping, but I'm trying to tell everyone what's here."

Slone: "And the hotel tax revenue that's no longer going to the International Tourism Fund, will that go to General Revenue Fund now?"

Hannig: "Yes, that's correct."

Slone: "And how much... give me a cl... a hint here. What is the order of magnitude?"

Hannig: "I don't have a figure for that one, Representative."

Slone: "Once again, I mean, I'm sorry to repeat myself, but once again, we don't know what we're voting on. We don't know how much revenue will be generated by what we're voting on. We don't know how much of the hole we're filling. We don't know how that relates to, you know, the shortfalls that we're experiencing from month to month here. I understand it's a moving target, but it's a moving target for the rank and file, too. Thank you, Representative Hannig."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from DuPage, Mr. Biggins. Mr. Biggins."

Biggins: "Mr. Speaker, yeah, my computer's not picking up these Bills and I'm trying to get some help with our sharp crew

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here. But..."

Speaker Hartke: "Would you like for me to come back..."

Biggins: "Are we gonna vote on this pretty soon or..."

Speaker Hartke: "Would you like for me to come back to you when you have..."

Biggins: "Yes, would you do that, please?"

Speaker Hartke: "I will certainly try. When your light goes off, push it back on again. The Chair recognizes the Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker. Will the Sponsor yield for a question or two?"

Speaker Hartke: "Sponsor will yield."

Giles: "Representative Hannig, I'm looking here. I believe that you may give me the same explanation that you gave the previous speaker concerning the transfer of \$5 million from GRF to the School Infrastructure Fund through the Fiscal Year 2003. Why are we taking 5 million from GRF? We're transferring 5 million from GRF... from the School Infrastructure Fund. Why are we doing that?"

Hannig: "Representative, we're simply keeping additional money into the General Revenue Fund because the 5 million is not needed for the purposes of defaults and things like that."

Giles: "So... Mr. Speaker, I didn't hear his question (sic-answer). I mean, I didn't hear his answer."

Speaker Hartke: "Shhh."

Hannig: "The School Construction Fund under the latest proposal, Representative, will be funded out of the tobacco money. Okay? And consequently, this transfer is no longer needed. But we have a plan in place for the billion dollars over two years to fund everyone that's on the list. And of course, your school in the City of Chicago would get 20%."

Giles: "So, this is not an extra 5 million. This 5 million

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was..."

Hannig: "We're not raiding the fund, Representative. Everyone who will fall within this billion dollar construction program will still have their money to construct."

Giles: "Okay, I... maybe I misunderstood. I thought we was taking 5 million from the tobacco settlement and placing it into this fund. And also, transferring 5 million, which will be 10 million. So, we're just swapping revenues, that's what we're doing?"

Hannig: "Yeah, it's a swap, Representative."

Giles: "Okay. I guess the other question that I have, Representative, is pertaining to #16 here on the things that are listed. We're making some technical corrections to Alton and Rock Island. What are those technical corrections?"

Hannig: "Representative, I think that the... it's my understanding that these two communities came forward and asked for some budget implementation language to make some changes in the law in the operations around their community. And..."

Giles: "You mentioned, you stated the operationals of their community. Is that what you said? I guess, Representative Hannig, are you... I guess the other question would be, in these technical corrections for these two, for Alton and Rock Island, is there any technical language or corrections that express any type of revenue enhancements?"

Hannig: "It has no... it has no net effect on the state revenues in any way as far as what we collect, what we give to the communities."

Giles: "So, it's just simply technical language. I mean, because here stated, I mean, that's all that it is truly given me. There's no explanation here that's in print. So... So, we

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can trust this is simply technical language or technical correction. It's just hard for me to just take it like that, but there's no other explanation?"

Hannig: "Representative, I think that, you know, your community, my community, other communities come to the state all the time and ask for changes in statutes that in some way have a positive effect on them to the degree that it doesn't affect any of the rest of us. It doesn't affect, it doesn't detract from what we collect here in the State of Illinois in revenues, I think we're generally willing to work with people. So..."

Giles: "Thank you, Representative, for your forthright line of answers. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Mr. Black."

Black: "Yeah, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that he will yield."

Black: "Yeah. Representative, there's language in here that retroactively legalizes the physical plant of the Alton casino riverboat. It's my understanding that's two barges that have been welded together, 'cause they're really not riverboats anymore. They're land-based casinos that may or may not be floating in some water. If it retroactively legalizes that arrangement, does that mean it's currently illegal?"

Hannig: "No. No, Representative. I'm not certain that it does anything, you know, that says anything that's illegal and it's not re... I don't believe that it is retroactive. The community came to us and said that they've did in good faith are operating a casino. The Gaming Board said that based on some definition by the Coast Guard, that we have

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in the language and the Gaming Law, that they thought that perhaps we needed to change our laws, so that that operation could continue. So, Representative, they're there, they're operating. They're not exceeding the number of positions that they have or in any other way breaking any laws, but they asked us to clarify that when they have one type, when they have one facility like that, that it's made up of two barges welded together that that should still be one facility. The current law is just ambiguous. So, this is a clarification."

Black: "Is the current law so ambiguous that this change would allow the Alton riverboat to regain 160 slot machines that the Gaming Board pulled the plug on?"

Hannig: "Representative, my understanding is that the... that this is a clarification of the existing law. You know that this issue is a very difficult issue that we often see a lot of litigation. The Gaming Board..."

Black: "Well..."

Hannig: "... is very strict in their interpretations."

Black: "Yes. That's..."

Hannig: "And they should be. But we also understand it is a legal business that operates in Alton. And I believe that this would be a change that would allow this business to continue to operate and provide the services that are allowed by law and without exceeding any of the... any of the laws that exist."

Black: "But there's language in here that says, 'retroactively legalizing'. I mean, I'm just... I'm not a lawyer, I'm just a poor old country boy and it would seem to me if you're retroactively legalizing something, it would seem to me that what you might be doing currently, perhaps, is against the law."

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Hannig: "Representative, we seem to have a difference of opinion as to whether it's retroactive. Perhaps your staff could tell you what page that is on and we can look at it and at least we can look at the same language."

Black: "Okay. Yeah, he's looking at it. And Frank and I have talked. Is there... currently, are there 160 slot machines that the Gaming Board pulled the plug on on the Alton boat, the Alton barge, barges?"

Hannig: "I'm told by Representative Davis is telling me 140, 1-4-0."

Black: "Why did they do that? Didn't pay their electric bill or what?"

Hannig: "Representative, I think that they rightly have taken an extraordinary, conservative view of how we should, how we should enforce this Act. But frankly, we're the final decider of what State Law should be. And I think that we all as reasonable people would expect that when you weld two barges together and have it as one long surface, that it's one facility. And you know..."

Black: "Well... Okay, I..."

Hannig: "And when you build..."

Black: "I don't wanna beat a dead horse, this rascal's saddled up and in the gate. I understand that. And I respect the Gentleman who represents Alton and certainly respect the Gentleman who represented Alton before him. Let me ask you a question about the Rock Island boat and I'm in the same dilemma. I not only respect, but like the Gentleman who represents that boat. But we're allowing it to move. Now, we're allowing it to move... to what appears on a map to be what I would call a drainage ditch alongside an interstate highway. What would you call it?"

Hannig: "Representative, it's my understanding that it would

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still be on the water and that these people in that community feel that if they had it closer to the interstate that they could generate more money, which would mean more taxes for us."

Black: "Is there an entry way or how are they going to get... I mean, if it moved physically in the next 90 days, how would people get to and from the boat? I looked at that map and I don't see any way to get there."

Hannig: "Well, Representative, I assume that the people who own this thing have a plan on how to move their patrons on and off, 'cause clearly they can't make any money if folks can't come onboard."

Black: "I... I..."

Hannig: "So, I think we need to leave that to the free enterprise and free thinkers in the Quad Cities."

Black: "I think that would be a safe assumption. There is no question about that. Well, Representative, again, as you always do, you answer questions in a forthright manner. That's why, that's why I have a lot of respect for you and a lot of respect for the process. In fact, I have, perhaps, too much respect for the process. But, be that as it may, the sun'll come up tomorrow. I think that was a song in a Broadway show I saw once, whatever. But thank you very much for answering the questions."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Erwin."

Erwin: "Thank you, Speaker, very much. Representative, would you yield for a question? I'm particularly interested in the part of this Bill that deals with... reduces the amount of the hotel tax revenue deposited into the International Tourism Fund from 6% to 4%. I'm not sure if you're aware but there are a number of us that were trying and hoping

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that there would have been a sunset on this provision. It happens to be something that this House Tourism Committee worked very hard on a couple of years ago. And in fact, has increased international tourism. So, I guess, my question is not unlike the OSLAD funds we dealt with before, our hope would be that while we appreciate that we definitely need the General Revenue money today, that we would look to do a sunset in the Veto Session."

Hannig: "Yeah. Representative, I'm advised and Representative, I forget who asked the question, but anyway, the answer is that there's really no net change, that we're simply changing the underlying law because we can only... we only want to transfer the amount of money that's collected. And so, my point is, we don't want to transfer more into the fund than we actually collected on the other side. So, the agency suggested that because collections are down that we have to, we have to gear down the percentage. But as the economy recovers then we can go back to the old percentage."

Erwin: "Well, that's... and that's exactly my point. I think that since we understand that these revenues do lag in terms of collections, that as the economy does come back we would hope that this, that the amount of money going into the International Tourism Fund would be... would be restored. So..."

Hannig: "Yes. Representative, I agree with you. I mean, that's what we will do, I believe. I mean, that's up to the General Assembly Members of the future, but clearly, we could do it in the Veto Session. We're taking a lot of extraordinary measures not only on the spending side, we're passing new revenues. This is another item that just simply reflects the times that we're in. And I believe

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that as time goes by and economy recovers this will be an item that we will revisit."

Erwin: "Thank you, I appreciate it."

Speaker Hartke: "Further discussion? Chair recognizes Gentleman from Lake, Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. Will Representative Hannig yield?"

Speaker Hartke: "Sponsor will yield."

Mathias: "Representative Hannig, as part of this Bill, does this deal with the sales tax on photo processing?"

Hannig: "Yes, Representative."

Mathias: "And at the current time, is it correct that there is a certain amount of tax, sales tax, on photo processing that goes to municipalities?"

Hannig: "Yes."

Mathias: "Do you have any idea what the amounts of sales tax is that goes to municipalities?"

Hannig: "We think the statewide number is around 21 million."

Mathias: "And is it correct from my reading of this Bill that this would eliminate the transfer of these taxes to municipalities and would just go into the GRF fund?"

Hannig: "This is what the Governor proposed on Monday and that's what this Bill would do, Representative, yes."

Mathias: "And would this be a permanent trans... a permanent transfer?"

Hannig: "Yes."

Mathias: "I know there was some discussions, at least from what I understand, from the Municipal League that there may have been some sort of discussions regarding limiting this to just... just to one year?"

Hannig: "Representative, this Bill does not limit it to one year, but when we come back in November, when those of us who

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return with our new colleagues in January, we can revisit this issue."

Mathias: "Well, if I am here at that time I certainly will file a Bill to limit that change to one year, but I... and I hope I would have your support of that. Thank you very much, Mr. Hannig."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Cook, Mr. Dart."

Dart: "Thank you. Sponsor yield?"

Speaker Hartke: "Sponsor indicates he will yield."

Dart: "Gary, I just wanted to touch on a couple of things that Mike Bost was talking about. Over the course of the last couple of months, the Governor's Office has gone back and forth and at some points on during the same week about what facilities they're opening, what ones they're closing, where they're shifting people. And because of that, I think that a lot of us on that issue and a lot of other ones are very concerned about exactly how they're planning things or if... frankly, or if they're planning things. It's been very confusing. The section of this Bill which allows for the increase and transferability from 2% to 3% brings me a great deal of concern based on, frankly, their actions. Your statements earlier were to the point, they need the flexibility to try to preserve personnel as opposed to the other side of it. I think a lot of us have concerns, though, about frankly, predictability or trust here. Because, as I say, when you have somebody who is within the course of a week has changed from opening to closing facilities and with that, what it does to real peoples' lives here, it brings us a lot of concern. My question to you is, has there been a commitment made to you from the Governor's Office that they, in fact, with this

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will not be shutting down any of the numerous prison facilities that they've talked about shutting down? Have they given you a commitment of any nature?"

Hannig: "Representative, they have not given me a commitment, but I believe that if we put the entire package on the Governor's desk when we're well on our way to capturing enough revenue that we can tell him that it's a balanced budget, then we can make the argument to the Governor that he has the tools to do the things that we put in the spending plan, which is to keep those facilities open. And that would be my argument to the Governor after we finish our work."

Dart: "Okay. So, I... I think based on what you're saying then that it's fair to say that he'd have the ability to keep them open, but given our experience over the last couple of months, it should not come as a shock to any of us if he were to turn around in shutting any of 'em down."

Hannig: "Well, Representative, I would just want to be... I wanna work with the Governor to try to solve this problem and I know you do and we all do. And if we can put the best package possible on his desk, it gives him the opportunity to keep these facilities open. I know he doesn't want to close facilities and lay off people, but he also knows he has an obligation under the Constitution to balance the budget. So, let's give him a balanced budget and then tell him, ya know, do his job and run State Government."

Dart: "Sure, and it was for that reason I was happy to support the tobacco tax increase to give him some of the ability to do that. As I say, my concern is that there's a lot of people, in this chamber especially, that can vouch for very well-meaning who have tried and worked very, very hard to keep these facilities open. But as I say, if it wasn't for

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the games that have gone on, if it wasn't for the course of the last months or so where we've put all these different things squarely in the bull's-eye, I'd feel much more comfortable now, but I... and I understand how hard you've worked on this. But as I say, given their actions, nothing of yours, but given their actions and what they've done, it leads me to be a little bit concerned about this. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Lady from Cook, Representative Davis. Monique Davis."

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

Speaker Hartke: "Sponsor indicates he will yield."

Davis, M.: "Representative Hannig, I would just like some clarification on the DNA question in reference to the known DNA and the unknown DNA."

Hannig: "I think the best way to say it is that when there's crime scene that we're telling the State Police that they should... that they should find whatever... whatever they find at that crime scene that they should process that and... and process it first and try to solve crimes. I think we're trying to tell the State Police to... to do these DNA tests and find the truth, find out who's guilty and who's innocent and that's what we want them to do."

Davis, M.: "Okay, but how does... I appreciate that, Gary, but how does that relate to, say a person who's been in prison for 20 years and they've been asking or waiting for their DNA to be tested to prove their innocence? You know, hopefully, this cannot be used as a delaying tactic not to test the DNA of a person who says their DNA will prove their innocence."

Hannig: "No, Representative, this will not prevent the State Police from doing that, but we want to expand it and say

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that when there's a new crime and they can get there and get information... that is collect data immediately, that they should process that data, as well. There was some..."

Davis, M.: "For example, the Brown Chicken (sic-Brown's Chicken) murders. So, with all the DNA that the State Police now have in their forensic lab, we're saying that they should test, for example, the Brown Chicken (sic-Brown's Chicken) DNA, of course, before they would test for an inmate's DNA who's trying to prove his innocence? Right?"

Hannig: "It's... it says the new cases that... that are... that are on file, that are found, that come forward that they should look at that information first to try to help us."

Davis, M.: "Well, my question is, how... when would... you know crime is committed all the time."

Hannig: "Yes."

Davis, M.: "There are new crimes committed all the time. So, how does that relate to... when do you stop with the crimes that are constantly being committed to get to those who are known?"

Hannig: "It also says, Representative, that the State Police may outsource the testing of known samples... Representative, I've been advised by the staff that the first part of our analysis on that issue is incorrect, that all it does do now is that it provides that the State Police may outsource the testing of known samples. It doesn't set any..."

Davis, M.: "That's all it says?"

Hannig: "Yeah, it doesn't provide..."

Davis, M.: "Okay. Well, I'm not opposed..."

Hannig: "No, thank you for bringing that to our attention."

Davis, M.: "...I certainly support your work. I know how hard you've all worked."

Hannig: "So..."

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Davis, M.: "All I was concerned about was, I didn't want an inmate to be told year after year after year, we can't test yours yet, 'cause we still testing the new crime DNA, you understand."

Hannig: "And... and..."

Davis: "But since it doesn't say that..."

Hannig: "I think that language came out after the analysis was prepared, but on review by our staff indeed that is correct and there will be no priority and everyone will have their chance."

Davis: "Okay and I do appreciate your hard work and I appreciate your very succinct answers."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Bureau, Mr. Mautino."

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

Speaker Hartke: "Sponsor indicates that he will yield."

Mautino: "Gary, I wanted to see and I know this is a piece of a continuing budget package that we're hoping to present as a quote, balanced budget. The... some of the transfers here, I wanted to make sure... I've always had a concern on the road fund as well and we've talked about this in the past just wanted to do it on the record. What is the transfer from the road fund?"

Hannig: "It provides for 97,310,000 to the Secretary of State and 103 and 1/2 million or excuse me and... excuse me, it increases the cap from the state... of the State Police to 97310 (sic-97 million 310 thousand) and to the Secretary of State to 103.5 million."

Mautino: "I saw that in there. What where the previous caps? How much are we raising the caps?"

Hannig: "I believe that the State Police stays the same and I believe that we raised the Secretary of State."

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Mautino: "20 million, 30 million?"

Hannig: "We'll look, Representative. But it also apparently has language that it must be repaid to GRF when there's a positive budgetary balance. And I can tell you that one of the things that we're doing in the Department of Transportation is that we're reducing the operations of that agency, and you say well, what good does that do. Well, the thought is, that when we increase the outflow of money from the road fund, if we could reduce the operations, like for example, with the early retirement, not hiring back some people, we can allow the fund to replenish itself. So, that the net effect will be that the fund balance should stay the same. For that addition... For that additional authorization."

Mautino: "Okay, Eric's gonna dig that up for me now, I understand."

Hannig: "The Secretary of State is going from 80 million to a hundred and thirty million."

Mautino: "Okay..."

Hannig: "And these are all for one year, so they go back to the schedule for next year."

Mautino: "Right, that would take care of... there's lines... there's lines in statute that say the road fund may not be devoted... diverted by appropriation or any other means. I mean that's the specific language, that was the subject of a lawsuit that was going on... this would pull that away. At the end of one year does that cap re-lower or does that cap remain?"

Hannig: "Yes, yes. After the one year, and again we're doing extraordinary things in an extraordinary year, after one year the cap reverts and we get back on that same limitation."

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Mautino: "The item #3 on the analysis would be state employee insurance coverage..."

Hannig: "Yes. And that was similar to what Representative Poe presented in this chamber, but we were advised that that Bill while it was... it's basically in here in spirit, but that the Bill that was presented to us and passed was technically flawed. So, rather than wait for the Veto Session and deal with it, this puts the Bill on the Governor's desk after we pass it."

Mautino: "And that's the portion... that's the opt-out language I believe, which allows if you have similar coverage to opt out of the state plan..."

Hannig: "Yes."

Mautino: "...saves 14-15 million something like that."

Hannig: "Yes."

Mautino: "Under item #5 you've got creation of the Lincoln Presidential Library instructs Comptroller to transfer \$3 million from GRF to the Presidential Library and Museum Operating Fund. I'd seen it in an earlier Bill the creation of the fund, has this... and I've been reading and following this one in the papers. I know it's very controversial. I mean, do we have guidelines laid out for selection or structure? I know it was dealt with in another... in other Bills, but what's the status of the Lincoln Presidential Library?"

Hannig: "Representative, I think that it's ongoing. We can... you can drive around town here and we can see how the structure's, you know, making such progress."

Mautino: "I didn't mean the physical structure. I mean there were... that's been some what controversial, the issue itself over the director. Have they already selected a director for this?"

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Hannig: "This legislation does not select a director."

Mautino: "It just sets the authority for it?"

Hannig: "It just transfers the \$3 million into the fund and then creates the Lincoln Library and instructs the Comptroller to transfer 3 million from GRF to the Presidential Library and Museum Operating Fund."

Mautino: "And this is... and I don't have the language in front of me so I apologize on that. I mean, that I know was a controversial piece, that's why I was asking."

Hannig: "It creates the apparatus for us to operate that facility once it is ready to go."

Mautino: "There was earlier on discussions and concerns and the reason I ask you this is because none of us have basically been part of the negotiations nor know otherwise what has happened in them. So, I'm gonna go piece by piece through this."

Hannig: "Certainly."

Mautino: "All right. The... early on there was discussions about the... the local Income Tax Distributive Fund and that's been taken care of, so there's no change in the one tenth of 1% that our municipalities is operated off of they're going to one eleventh, right?"

Hannig: "That stays the same, that's correct."

Mautino: "Now, the only reason we'll actually see a reduction is because there's less money, so your normal transferred would be less and that's just an operation of the budget, right?"

Hannig: "That's correct."

Mautino: "Okay. The hotel tax portions... the changing of the... normally, without Budget Implementation Act the Governor has the ability to transfer 2%, normally not in personnel lines."

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Hannig: "Correct."

Mautino: "Okay. This goes to 3%. Is this also... does this allow for personnel lines, as well?"

Hannig: "It's our intention that that... that that prohibition on personnel lines remain the same. The best way to think about it is we simply wanna go from 2 to 3% with all the same..."

Mautino: "Without any prohibition... or without anything on personnel lines?"

Hannig: "No. No, same thing as it is in the past, Representative. So, we're saying right now it's 2%, except personal services. This says 3%, except personal services."

Mautino: "Okay. So, right. So, personal services are out of that then?"

Hannig: "That's... that's the way we drafted the Bill."

Mautino: "Okay. Now, that's... that's one of the... one of... probably the main concerns I had, because 3% on a billion dollar budget takes out all of the add backs that we put. I mean, they'd have to used within that agency, but this is similar to what was asked back in November, increasing that... that authority. I think that you've put in a lot of work on this, I want to commend your... your staff, as well. I have concerns with the Implementation Act, because as I'd stated earlier, it's my hope that we put a balanced budget on the Governor's desk that will still be balanced tomorrow, you know, on Monday when everything comes out. And I think you explained earlier, that was the intent and that borrowing has been structured to actually exceed that, to in effect over balance the budget. He has a cushion of authority, would that be correct?"

Hannig: "He has the short-term borrowing to help us pay off the

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old bills and then if we pass the tobacco securitization or whatever you want to characterize it, it should give us a balance of money that he can work with to use as a cushion as you say, yes."

Mautino: "Okay. All right. Appreciate the answers. I know this has the photo processing, you handled most of the other questions throughout the debate. Just once again, there are some controversial pieces that are in the Bill, but then again it's a controversial budget year. Anyway, any reduction budget is very, very tough. My hope is that so far each of the speakers that have talked on budget implementation Bills and portions of the finance have said this is gonna be a balanced budget. This will have a cushion which will take care of the priorities of the General Assembly, which means what we added back should stay added... stay added back. Now, it would be very disheartening, I think, by the Membership to take a look and be back here on say June 17 to watch the Senate Rules Committee squash the Veto Override Motions. But we'll again... we'll wait to see what those... I know you've worked hard, you're doing the best you can, as are we."

Speaker Hartke: "Representative Hannig to close."

Hannig: "Yes, thank you... thank you, Mr. Speaker. As I said, this is a part of the budget package. Let's give the Governor the tools to sign the spending plan that we sent him Friday. I'd ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the Senate... 'Shall the House concur with Senate Amendment #2 to House Bill 5686?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final passage. Have all vote who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 84 Members voting 'yes', 32 Members voting 'no', and 1 Member voting 'present'. And the House does concur with the Senate Amendments #... Senate Amendment #2 to House Bill 5686. And this Bill, having received an Extraordinary Majority, is hereby declared passed. The Chair recognizes Representative Jerry Mitchell. For what reason do you... never mind... Mr. Clerk for an announcement."

Clerk Rossi: "Attention, Members. The Fall Veto Session schedule is being passed out."

Speaker Hartke: "Mr. Mitchell, for what reason do you seek recognition?"

Mitchell, J.: "An inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Mitchell, J.: "I don't have that schedule yet. But, is it true that... the rumor is not true that Fall Veto Session will start tomorrow?"

Speaker Hartke: "Rumors are a dime a dozen but I doubt that one."

Mitchell, J.: "Thank you."

Speaker Hartke: "Chair recognizes Representative Davis, Steve Davis from Madison. What reason do you seek recognition?"

Davis, S.: "Just an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Davis, S.: "Where's the chicken?"

Speaker Hartke: "Did you want to request that question to Mr. Poe? Mr. Poe."

Poe: "We took all the chickens to market May the 20th. So, we're out."

Speaker Hartke: "On page 3, on the Order of Concurrences, appears House Bill 5169 on Senate Amendment #1. Mr. Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. I seek concurrence on House Bill 5169 which has and provides several pension enhancements for downstate teachers, service credit for two years for private school service and service credit for two years for unused sick leave. I seek your favorable support."

Speaker Hartke: "Is there any discussion on Senate Amendment #1. The Chair recognizes Representative Franks."

Franks: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that he will yield."

Franks: "Representative, just saw the analysis. Would this also apply to teachers' aides or just the teachers?"

Daniels: "This would allow a member of the TRS to purchase up to two years of service credit, as a teacher or administrator employed by the private school but it had to be certified while employed by the private school and provide satisfactory evidence of the employment. So, I assume if they were certified as a teacher at the private school, it would qualify in any fashion. But again, I want to emphasize they have to be certified and provide satisfactory evidence of the employment by the private school."

Franks: "I understand the teacher portion. I was wondering more about a teachers' aides were... were also included."

Daniels: "I understand that if they're certified as a teacher but employed as a teacher's aide they could qualify."

Franks: "Okay. But if they're not certified as a teacher they wouldn't be included. Correct?"

Daniels: "That's what I'm advised."

Franks: "Okay. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Sponsor yield?"

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Speaker Hartke: "Sponsor indicates that he will yield."

Hoelt: "When we discussed this in the committee one of the questions comes down... came down to what groups would be allowed in. The state certifies a large number of individuals such as driving schools... It is the intent... Hi, Lee. I just wanna go on record here. It's our legislative intent that these be instructional teaching positions we're talking about, not beautician, not driver training, not any of the other private, what could be called educational groups. So, this is getting credit from private and parochial instructional institutions in the state."

Daniels: "It's my understanding that they have to be employed as a teacher or as administrator and employed by a private school which is recognized by the Illinois State Board of Education and certified as such. When the question was asked could this be a teacher's aide my answer was if they were certified as a teacher but employed as a teacher's aide they could still qualify."

Hoelt: "Okay. I think that this will cover it. But it was one of the major concerns we had in committee."

Daniels: "Yeah. That's my understanding."

Hoelt: "Thank you."

Speaker Hartke: "Further discussion? Seeing no one's seeking recognition, Representative Daniels to close."

Daniels: "You've heard the explanation. I seek your favorable vote."

Speaker Hartke: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 5169?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the

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record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 5169. And this Bill, having received an Extraordinary Constitutional Majority, is hereby declared passed. On Supplemental Calendar #4 appears House Joint Resolution 84. Representative Howard on the Resolution."

Howard: "Thank you very much, Mr. Chair. This Resolution is urging that the State of Illinois rename the Illinois State Library the Gwendolyn Brooks Illinois State Library. As we all know, Gwendolyn Brooks who is now deceased is a world famous poet. And she was the first poet laureate, African-American poet laureate of the State of Illinois. I ask all of my colleagues to honor her memory by naming the library the Gwendolyn Brooks Library."

Speaker Hartke: "Is there any discussion? Chair recognizes the Lady from Cook, Representative Monique Davis. She declines recognition. She decides she wants to speak."

Davis, M.: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Davis, M.: "Representative, I just wanted to know where is this library located?"

Howard: "The State of Illinois Library, Representative, is across the street."

Davis, M.: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 84?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? 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 115 Members

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voting 'yes', 0 voting 'no', and 1 person voting 'present'.
And the House does pass House Resolution... House does
adopt House Resolution 84... Joint Resolution 84. The
Chair recognizes the Gentleman from DuPage, Representative
Biggins. Do you have your computer working, yet?"

Biggins: "Yes, I do, Mr. Speaker. But I rise on the purpose of
making an announcement."

Speaker Hartke: "Proceed."

Biggins: "You know, we all make mistakes, but not everybody
recognizes when they make a mistake. And this could be an
occasion... we have a moment or two here I'd like to
recognize somebody who made a mistake, that admitted it to
everybody. It actually happened last night at 7:35 p.m. on
House Bill 5168, a Bill carried by the Leader of the
Minority Party in the Illinois House. And, I got the Roll
Call and there was one person who voted opposite the wishes
of the Sponsor of the Bill and I thought that in
recognition of someone who stands up for what they almost
believe, or sometimes believe, either did believe and then
didn't believe, we should get some signatures here from the
Roll Call and present it to the man who did that publicly
last night in a moment of courage and at the right time.
So, I would like to, on behalf the Body and those that
signed and many Members, very important Members of this
chamber signed this Roll Call and make me present it to our
friend, Representative Cross. This is the, 'I'm sorry I
did it and now get off my back' award."

Speaker Hartke: "Yes, Mr. Biggins."

Biggins: "Could I have a question of the Chair, as well?"

Speaker Hartke: "Yes."

Biggins: "Well, we can't get per diem when we stay extra days.
But, when we stay extra days we also stay extra nights."

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I'm wondering if there's anything in the statute that permits a payment per nolte (sic-nox noctis)? Several of the Members, when they had signed that thing before, they wanted me to ask about per night, per nolte, as they say. Well, I'll wait for you. Oh well, we can wait on that one."

Speaker Hartke: "Okay. Chair recognizes Representative Cross."

Cross: "Was this the... Representative Leader's Bill... or Representative Daniels' Bill?"

Speaker Hartke: "I do believe it was."

Cross: "Is it too late to do a Motion to Reconsider?"

Speaker Hartke: "Yes."

Cross: "I was just reminded, I didn't vote on the prevailing side. I was the only one that voted 'no'. So, I guess it's too late. Thanks a lot, Robert."

Speaker Hartke: "Mr. Clerk, read the Agreed Resolutions."

Clerk Rossi: "House Resolution 103, offered by Representative Mendoza; House Resolution 104, offered by Representative Osterman; House Resolution 1005, offered by Representative Bill Mitchell; and House Resolution 1006, offered by Representative Mendoza."

Speaker Hartke: "Representative Currie now moves for the adoption of Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted."

Speaker Madigan: "The House shall come to order. Mr. Clerk, what is the status of Senate Bill 1556? Mr. Clerk, distribute Supplemental Calendar #5. And on that Calendar there appears Senate Bill 1556. Mr. Clerk, read the Bill for a third time. Representative, we need a meeting of the Rules Committee to report the Bill to the floor. It's one of

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these impediments that was built into the Rules by a prior administration. Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Members of the Assembly."

Speaker Madigan: "Well, Carol, we're not ready yet. Just give us a couple of minutes and we'll come right back to it."

Pankau: "Okay."

Speaker Madigan: "Thank you. Mr. Clerk, on Supplemental #6, on the Order of Nonconcurrency there appears Senate Bill 2192. What is the status of that Bill?"

Clerk Rossi: "Senate Bill 2192 is on the Order of Nonconcurrency. A Motion to Refuse to Recede from House Amendment #2 has been filed by Representative O'Connor."

Speaker Madigan: "Has it been approved by the Rules Committee? So, we don't need the Rules Committee on this one; therefore, we'll recognize Mr. O'Connor."

O'Connor: "Yes, thank you, Mr. Speaker. I refuse to recede from House Amendment 2."

Speaker Madigan: "Did Mr. O'Connor request the appointment of a Conference Committee? You've all heard the Gentleman's Motion. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted. Mr. Clerk."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure was referred, action taken on June 2nd, 2002, reported the same back with the following recommendation: 'to the floor for consideration' Conference Committee Report #1 to Senate Bill 1282, and to the Order of Third Reading, Senate Bill 1556."

Speaker Madigan: "Senate Bill 1556, Representative Pankau. Mr. Clerk, has the Bill been read a third time?"

Clerk Rossi: "Senate Bill 1556, a Bill for an Act concerning airport authorities. Third Reading of this Senate Bill."

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Speaker Madigan: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Members of the House. This Bill is an initiative of the DuPage Airport Authority but it applies to 25 other general aviation airports over the entire State of Illinois. It would allow them to take up to 3% of their proceeds of the money that they take in and put it aside in a special fund for capital improvements. It does not give them anymore money, but allows them to take existing money that they have and put it aside. Oftentimes, the life of a runway is only 30 or 40 years. And when you have to rebuild a runway or do other major improvements, it's big, big dollars. And even the federal match of 10% is still a huge amount of money. So, this allows them to start putting their existing money aside, saving it for those times when they have to improve. And I ask for your favorable approval."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'yes'; all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Has Representative Flowers voted? Mr. Clerk, take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental #6, on the Order of Nonconcurrency there appears Senate Bill 2288, Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would move to refuse to recede on the House Amendment #5."

Speaker Madigan: "The Gentleman moves that the House refuse to recede on Senate (sic-House) Amendment #5. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it."

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The House refuses to recede on Senate (sic-House) Amendment... on Amendment #5 to Senate Bill 2288. On page 3 of the Regular Calendar, on the Order of Concurrence there appears House Bill 2381. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the Bill already passed by the Senate that provides for an increase in the tax at riverboat gaming establishments in Illinois. It also provides for a \$3 rather than a \$2 admission fee. This is the only way we're going to solve the budget shortfall. This is worth a hundred thirty-five million dollars to the spending plan approved last week. This is it, Speaker and Members of the House, either we're for our spending plan and we're prepared to plug the revenue hole so the state can afford our program or we'll be leaving here with the Governor's full authority to cut to shreds the priorities that we have established. I'd be happy to answer your questions and I would appreciate your 'aye' vote."

Speaker Madigan: "The Lady moves that the House concur in Senate Amendment #1. There being no discussion, the question is, 'Shall the House concur in the Amendment?' The Chair recognizes Mr. Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Lady yield? Yes. Representative Currie, just, you know, with the hour being late, could you just kind of go more in depth just to make sure that this is just the tax and no more of all the other stuff that has been tried to be passed tonight?"

Currie: "This is it. This is the straightforward proposition already passed by the Senate."

Morrow: "That's all I need to know. Thank you."

Currie: "If we've all..."

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Speaker Madigan: "The Lady moves that the House concur in the Amendment. The Chair recognizes Mr. Steve Davis."

Davis, S.: "Yes, thank you, Speaker. Will the Sponsor yield..."

Speaker Madigan: "Sponsor yields."

Davis, S.: "... for just two short questions, Representative? The Bill that we just passed out of here that had the sunset provisions in it, I'm assuming that that Bill is not going to be called in the Senate."

Currie: "I believe the Senate did not concur in our Amendment."

Davis, S.: "Okay."

Speaker Madigan: "Mr. Davis."

Davis, S.: "My other question is just... could you pl..."

Speaker Madigan: "Mr. Davis. Mr. Davis. Mr. Davis, to complete Representative Currie's answer, Mr. Hannig just refused to recede from the Amendment that you are referencing. So, I think your question related to the Bill which raised the gaming tax with a sunset."

Currie: "Yes, he did."

Speaker Madigan: "The Senate nonconcurred in the Amendment. We just refused to recede, but we did not ask for the appointment of a Conference Committee. So, the Senate is in a position to reconsider that earlier vote. Mr. Davis."

Davis, S.: "Thank you, Speaker. The other question is, could you just briefly outline what the tax structure is under this proposal?"

Currie: "Boats with gross receipts of 25 million or less stay at 15%. Between 25 and 50 million, the current 20% tax goes to 22.5. Between 50 and 75 million, from 25% to 27.5. From 75 to a hundred million, 30% to 32.5%. Boats at a hundred million or more are at 35%. And then we create three new categories, a hundred to a hundred-fifty million at 37.5, a hundred-fifty to 2 hundred at 45%, 2 hundred

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million or more at 50%."

Davis, S.: "And one further question, Representative."

Currie: "That was the same schedule that we earlier adopted."

Davis, S.: "Okay. Thank you very much. One further question. Is there anything in this Bill that would address the Alton situation and the Rock Island situation?"

Currie: "Those meas... actually both of those provisions were earlier Bills already passed by both the House and the Senate."

Davis, S.: "Right. Right. But, they are not in this?"

Currie: "They're not in this but they're some place else."

Davis, S.: "Oh, okay. Yeah, I understand that. Yeah. I just wanted to make that clear at first."

Currie: "Yeah."

Davis, S.: "Okay. Thank you very much."

Speaker Madigan: "Mr. Mathias."

Mathias: "Yes, just one question. I've heard the discussion what you've said, but I just want to make sure it's clear, asked and answered, this Bill has no sunset provisions. Is that correct?"

Currie: "This Bill has no sunset provision, no provisions with respect to where particular boats are, and no reallocation of existing gaming positions. It is just a tax increase, same schedule we voted on earlier."

Mathias: "Thank you, Mr. Speaker."

Speaker Madigan: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 2381. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 84 'ayes', 33 'noes'. This Bill... or the House does concur in Senate Amendment #1 to House Bill 2381. And

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this Bill, having received a Constitutional Majority, is hereby declared passed. Let the record show that the Bill received a Constitutional Extra Majority and therefore is declared passed. Mr. Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. The Governor and Mrs. Ryan have asked me to announce that upon completion of our work that all Members of the General Assembly and staff are invited to the mansion to discuss the work of our Session. So, the Governor and Mrs. Ryan would like you all to stop by at the mansion to discuss the Session upon completion of our work."

Speaker Hartke: "Representative Hartke in the Chair. Rules Report."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on June 2, 2002, reported the same back with the following recommendation: 'to the Order of Concurrence' a Motion to concur with Senate Amendment #2 to House Bill 6061, a Motion to Concur with Senate Amendment #1 to House Bill 4581, and a Motion to Concur with Senate Amendments 1 and 2 to House Bill 2828."

Speaker Hartke: "Mr. Clerk, the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #81, offered by Representative Currie. Be it resolved, by the Senate of the 92nd General Assembly the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Sunday, June 2nd, 2002 the Senate stands adjourned until Thursday, November 7th, 2002 in Perfunctory Session. And when it adjourns on that day, it stands adjourned until Tuesday, November 19th, 2002 at 12:00 noon. And the House of Representatives stands adjourned until Thursday, November 7th, 2002 at 12:00 noon in Perfunctory

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Session. And when it adjourns on that day, it stands adjourned until Tuesday, November 19th, 2002 at 1:00 p.m."

Speaker Hartke: "Representative Currie now moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Clerk for an announcement, Supplemental Calendar."

Clerk Rossi: "Supplemental Calendar #8 is being distributed."

Speaker Hartke: "On Supplemental Calendar #8 appears House Bill 6061. On concurrence. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the appropriation side of the bond Bill that the Governor introduced in his revised '03 budget last Monday. And so, the Senate has sent it over as the Governor requested. And I'd be happy to answer any questions. And I'd ask that the House concur in the Senate Amendment to the Governor's proposal on the bond Bill."

Speaker Hartke: "Is there any discussion on Senate Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 6061?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 101 Members voting 'yes', 16 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Extraordinary Majority... Constitutional Majority, is hereby declared passed. On Supplemental Calendar #8 appears House Bill 4581, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the companion to the appropriation spending that we just passed. This is actually the authorization and it's

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at the Governor's level, as well. It increases General Obligation Bond authorization to \$16,908,149,369, an increase of \$1,643,141,869. It also increases the school construction program by \$1,000,000,000. And increases the Build Illinois Bond authorization to 2,417,000,000, an increase of \$17,046,000. I'd be happy to answer any questions. And I'd ask for your 'yes' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Mautino."

Mautino: "Thanks. Will the Sponsor yield? Okay. Would this... would this program and the increase in bonding... Does this also carry the portion which will be... Is there a new provision or a new type of bonding that we're gonna be doing that goes along with the package for the budget?"

Hannig: "Representative, if you're talking about securitization, that's the next Bill."

Mautino: "Okay."

Hannig: "This is just the typical bonding that we normally do and it does include..."

Mautino: "Thank you. I'll hold those questions then..."

Hannig: "Okay."

Mautino: "... for the next Bill. Thank you."

Speaker Hartke: "Further discussion? Representative Hannig to close."

Hannig: "I just ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4581?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish. Mr. Righter. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 Members voting 'yes', 6

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Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Righter, for what reason do you seek recognition?"

Righter: "Yes, Mr. Speaker. On the previous Bill, House Bill 6061, I inadvertently hit my 'no' switch. I would like the Journal to reflect my intention to vote 'yes'."

Speaker Hartke: "The Journal will so reflect your wishes."

Righter: "Thank you."

Speaker Hartke: "Speaker Madigan in the Chair."

Speaker Madigan: "Supplemental #8. House Bill 2828, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the final piece of the budget proposal for the coming fiscal year. It provides for an increase of 750 million in the General Obligation Bond Program to provide for opportunities to use the tobacco settlement proceeds only in the coming fiscal year for two purposes, half to the state General Revenue Fund and half to the Budget Stabilization or Rainy Day Fund. I'd be happy to answer your questions and would appreciate your support for this final measure of the Spring Session."

Speaker Madigan: "Representative Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, this envisions potentially between \$750 million in bonds to be double-barrel guaranteed. Is that correct?"

Currie: "That is correct."

Fritchey: "How long is the period that's envisioned that this could encumber the tobacco settlement funds for?"

Currie: "I would imagine that there would be opportunities to do

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it several ways, but I would think 20 years. But the total amount, whatever amount is bonded under this proposal, can only happen in this coming fiscal year."

Fritchey: "But to secure the amount, if we went up to the 750 million, we would be potentially encumbering the tobacco settlement proceeds for decades."

Currie: "And it's possible that the decision would be to go for a much lower number."

Fritchey: "Of course."

Currie: "For flexibility."

Fritchey: "And the fact that the bonds are double barreled envisions the potential... that the tobacco settlement proceeds would not even be sufficient in their entirety from what's not... from what hasn't been previously committed that there would be sufficient to pay out the bond."

Currie: "That's right. We anticipate that there would be plenty, but the bond people are always nervous about that issue and they like General Revenue backing."

Fritchey: "Okay. And do we have any idea or any projections on what the discount rate would be? Given that if it's double barreled, I'm gonna assume that we're gonna get a better rate than we would have otherwise."

Currie: "Absolutely, that's why we would do it this way. I don't know what the rate would be, but I'm sure it'd be awfully good."

Fritchey: "Okay. Mr. Speaker, to the Bill. I met with individuals to discuss securitization for some time now. I don't like the idea. I don't know that there's an alternative. In fact at this hour, I know that there's not an alternative. The budget that we're passing and the appropriations that we're making this year is not an

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austere budget in many ways. There's still hundreds of millions of dollars in projects that people on both sides of this aisle and both sides of the rotunda and throughout this Bill and got placed on to the budget. My concern and my problem is this, in a budget where we still have hundreds of millions of dollars in projects, we've slashed funding on tobacco prevention control measures by 75% from about \$47 million in the last budget to about \$12 million in this year. And now, make no mistake, also there are other good and valuable causes that the tobacco money is being used for. But in Illinois, we spend \$13 million every day and that's through IDPH numbers. Those aren't the antismoking groups. That's our department and it says we spend \$13 million a day on tobacco-related health care costs. Yet, when we have an opportunity to invest in programs that have been... When we have the opportunity to invest in programs that have been proven in other states to help people stop smoking, to help treat tobacco-related illnesses, to keep kids from smoking in the first place, to save us tens if not hundreds of millions of dollars going forward by investing in prevention, by investing in education, by investing in assistance and we cut those programs by 75%. We've spent almost more money out of tobacco settlement this year on veterinary research than we do on other tobacco-related programs. It's not the right thing to do. It's not a budget year with a lot of easy decisions and I realize that. I will probably support this because I realize that we do have to make tough decisions. However, Mr. Speaker and Mr. Clerk, I'd ask to be removed as a Sponsor of this Bill and have my name taken off the board. Thank you."

Speaker Madigan: "Mr. Mautino."

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

Speaker Madigan: "Sponsor yields."

Mautino: "Okay, great. Barbara, I had a few questions here and I do intend to support the Bill, but something that you said was kind of intriguing. This is the last piece of the financial picture. So as long as we're talking about the state budget of Illinois, to this point we haven't had the actual numbers. So, if you'd ask John, what was the total amount of GRF revenue that we placed on the Governor's desk?"

Currie: "23.8 billion, I believe is the correct answer."

Mautino: "23.8."

Currie: "I could be off by a penny or two."

Mautino: "Okay. So, on the package that has been put together that..."

Currie: "Sorry, 22 8."

Mautino: "22 8. Okay. The package that has been put together on the revenue side, including tobacco tax, the increases in the gaming, all that in our extra borrowing. So, we've got a 23.8 spending plan. We have what, in the revenue side, to pay for that plan?"

Currie: "We have enough to pay for that on the revenue side with a year-end balance of about 370 million. So, if there is an interest in having a larger year-end balance, we would need more revenue to sustain it. But in terms of the spending plan, there is enough money to pay for the budget we've adopted."

Mautino: "So, 370 million is the year-end balance."

Currie: "So, if you want a bigger year-end balance, the way to get it is through this securitization program."

Mautino: "So, have the four Leaders and the Governor's Office agreed that this is a balanced proposal, since they've been

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negotiating it for the last week?"

Currie: "I certainly hope so."

Mautino: "That's not a great answer, but I appreciate that. So, I know that they've done their best. Director Schnorf has done a good job with the... with trying to set something up along with our staffs. Our goal has been to provide the funding level to accommodate what you've all said are your priorities. And with the agreements of... with the votes of all the Members in the House, it's our impression based on the word of our Leaders, who've negotiated this, that it is in fact a balanced budget. So, I'm just hoping that tomorrow morning, I don't read that it isn't. We do know tomorrow brings another report and I would hope that that's... 250 million doesn't kind of tip the scales. But I will support your legislation and if you've actually, in fact, been able to bring this to a balanced budget which'll take care of the concerns of the Members in the direction that we intend for the state to go, I applaud you on that."

Speaker Madigan: "Mr. Dart."

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

Speaker Madigan: "Sponsor yields."

Dart: "Barb, just one quick question. Have you... based on the... what the year-end balance is gonna be and whole issue of securitization, is this gonna affect our bond rating? And if so, one way or the other, why?"

Currie: "You never can tell what bond houses'll do. But I do not anticipate a reduction in our bond rating. In other states that have gone this route, there has not been a reduction. For us not to have a balanced budget could also present problems."

Dart: "Now, Wisconsin had some reduction in their bond rating. Was that as a result of securitization?"

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Currie: "There is some disagreement on the answer to that question. Many would argue that some earlier overspending caused the decline in their bond rating, not the decision to securitize."

Dart: "And with the characterizes their overspending would the... would some of the things that we've done in the past, could that be characterized as overspending?"

Currie: "They actually used their bond proceeds for operations, as you can see from our material, our hope is that we would only have to use these proceeds to stabilize the Rainy Day Fund."

Dart: "Thank you. And to the Bill. Like other people, I realize we have tough times here right now, but I'm a little bit queasy when it comes to our bond rating in regards to some of the things we're doing. For that reason, I don't know if I'll be able to support this. Thanks Barb."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 100 people voting 'yes', 17 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental #7 there appears Senate Bill 1282, Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept Conference Committee Report #1 to Senate Bill 1282."

Speaker Madigan: "Before we proceed to that Bill, let the record show that House Bill 2828 passed with a Super Constitutional Majority. Mr. McCarthy, have you presented the report?"

McCarthy: "Yes, I did. I asked for the approval of the First

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Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, I'm not sure I understand what's in this legislation. Could you please give us some background?"

McCarthy: "Well, there's two main parts to it. It amends the Liquor Control Act of 1934. It allows where park districts that can already sell alcoholic beverages in a building on the golf course, could also sell 'em on the grounds of the golf course, like with a beer cart, as we golfers call them when they come around. It also amends the Election Code and it clears up some controversies in DuPage County between forest preserve districts and vacancies on the Forest Preserve District Board. Because of the population requirements, it's basically about DuPage County. And it calls for the filling of any vacancies within 60 days. And also... the filling of a vacancy of a forest preserve district president."

Parke: "Thank you."

Speaker Madigan: "The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 1282?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 95 'ayes', 22 'noes'. The House does adopt the First Conference Committee Report on Senate Bill 1282. And this Bill, having received a Super Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 2671?"

Clerk Rossi: "House Bill 2671, a Motion has been filed by Representative Barbara Currie to reconsider the vote by

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which the Bill passed."

Speaker Madigan: "Representative Currie."

Currie: "Please withdraw the Motion."

Speaker Madigan: "Mr. Clerk, withdraw that Motion. Ladies and Gentlemen, we're prepared to adjourn. A reminder, the Governor is offering a party over at the mansion. And on behalf of Mr. Daniels and myself, I'd like to thank all of you for your very hard work in what was a extremely difficult Session, especially as it related to the preparation of the state budget. Everybody worked real hard, came at the project and the problem in very good faith and everybody's to be commended for the sincerity that they brought to their work. Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I wish to thank both sides of the aisle for exceptional work in a difficult, difficult budget year. It's been a tough Session in terms of the economic climate. But both sides of the aisle worked very hard to accomplish what, I think, excellent results. And I want to thank, in particular, our staffs on both sides. But, of course, as the Republican Leader... and, of course, from my end, Mr. Speaker, I know you'll understand how much I thank the Republican staff who I think is the best, the brightest, and the most wonderful. So, thank you all. Have a happy summer."

Speaker Madigan: "Representative Currie moves that the House stand adjourned until Tuesday, November 19, 2002 at 1 p.m. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Tuesday, November 19, 2002 at 1 p.m., providing perfunctory time for the Clerk."