

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

1st Special Session

July 1, 1987

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Mr. John O'Brien."

Clerk O'Brien: "Let us pray. Lord, bless this House and all those that serve and work here. Amen."

Speaker Madigan: "Roll Call for Attendance. I'm sorry. Mr. Ropp, would you lead us in the Pledge of Allegiance?"

Ropp - 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. Matijevich, are there any excused absences?"

Matijevich: "Mr. Speaker, there are none... none on this side of the aisle."

Speaker Madigan: "Thank you. Mr. Piel?"

Piel: "Yes, Mr. Speaker. Will the record show that Representative David Harris, Representative Myron Olson and Representative Fred Tuerk are all excused today?"

Speaker Madigan: "Let the record reflect those excused absences. Mr. Clerk, we have received a Proclamation from the Governor of Illinois, Mr. Thompson. Would you read the Proclamation. The Members please give their attention to the Clerk. The Clerk is reading a Proclamation from the Governor of Illinois. Mr. Clerk."

Clerk O'Brien: "Proclamation: Whereas, the Illinois Constitution requires the General Assembly to consider the annual Budget submitted to it by the Governor for every Department, Authority and Public Agency of the State; and whereas, the Illinois Constitution further requires the General Assembly to make appropriations for the expenditures of public funds for the fiscal year of those Departments, Authorities and

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Public Agencies; and whereas, the General Assembly has failed to make appropriations prior to the beginning of the next fiscal year for the expenditures of public funds for the Illinois Department of Mental Health and Developmental Disabilities and the Illinois Supreme Court; therefore, pursuant to Article 4, Section 5(b), of the Illinois Constitution of 1970, I hereby call and convene the 85th General Assembly in Special Session to commence on July 1, 1987, at 1:00 p.m. to consider the following House Bills; 783 and 1636, or any other legislation, new Bills or pending, which will address directly the Budgets of the Illinois Department of Mental Health and Developmental Disabilities and the Illinois Supreme Court to meet the expenses of the court system of Illinois. Done at the Capitol, the City of Springfield, this 30th day of June, in the year of our Lord, One (sic - Nineteen) Hundred and Eighty-seven, in the State of Illinois. James Thompson, Governor."

Speaker Hadigan: "Ladies and Gentlemen, the essence of that Proclamation is to call the Legislature into a Special Session. Therefore, we are now in the Special Session. First matter of business will be a request for leave for the Rules Committee to meet immediately to grant an exemption from the Rule for the consideration of the necessary Bills for the Special Session. Before we proceed to that question, Mr. Clerk, would you take the Attendance Roll Call. There being 106 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, are there rules to be adopted?"

Clerk O'Brien: "House Resolution #1 resolved that the Rules of the House of Representatives of the 85th General Assembly 'be adopted' as the Rules of this Special Session, so far as the same may be applicable, and that the Standing

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Committees of the House of Representatives of the 85th General Assembly, and their Membership, shall constitute the Standing Members of the House during this Special Session."

Speaker Madigan: "Mr. Clerk, did you wish to read the second Resolution?"

Clerk O'Brien: "House Resolution #2 resolved that the Clerk inform the Senate that the Majority of the Members of the House have assembled pursuant to the Proclamation of the Governor convening a Special Session of the General Assembly, and are now ready to transact business."

Speaker Madigan: "Mr. Clerk, would you read the third Resolution?"

Clerk O'Brien: "House Resolution #3 resolved that a Committee of five, no more than three from the Majority Party, be appointed by the Speaker to approve the last day's Journal and all other Journals of the First Special Session of the 85th General Assembly."

Speaker Madigan: "You've all heard those Resolutions. Mr. McPike moves for the adoption of those Resolutions. Those in favor say 'aye'. Those opposed say 'no'. The 'ayes' have it. The Resolutions are adopted by Quorum Roll Call. We'll now go back to the question of leave for the Rules Committee to meet immediately. Is there leave? Leave is granted. The Chair recognizes Mr. Ewing."

Ewing: "Mr. Speaker, I would like to request at the appropriate time, as soon as possible, a Republican conference."

Speaker Madigan: "Yes. Mr. Ewing, I've discussed that with Mr. Daniels. We have certain mechanical questions to be satisfied. Then we'll..."

Ewing: "As soon as you get to that point, please."

Speaker Madigan: "... go to the conference. Thank you. So, at this time would the Members of the Rules Committee retire

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to the Speaker's Conference Room. Immediately. The purpose of this meeting is to... the purpose of this meeting is to act pursuant to Rule 29(c)-3 to determine whether House Bill 783 and House Bill 1636 would be emergencies and important for the operation of Government. So would the Members of the Rules Committee please retire to the Speaker's Conference Room immediately. Mr. Clerk, do you have a report from the Rules Committee?"

Clerk O'Brien: "Committee Report. Rules Committee met and have exempt House Bill 783 and House Bill 1636. Signed John Matijevich, Chairman."

Speaker Madigan: "The next matter of business will be a Motion to take these Bills from the table. The Chair recognizes Mr. McPike."

McPike: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to take House Bill 783 and House Bill 1636 from the table."

Speaker Madigan: "You've all... You've all heard the Gentleman's Motion. Those in favor say 'aye'. Those opposed say 'no'. The 'ayes' have it using the Attendance Roll Call. The Chair recognizes Mr. McPike for the purpose of requesting a Conference Committee."

McPike: "Thank you, Mr. Speaker. I would ask for a second Conference Committee on House Bill 783 and a second Conference Committee on House Bill 1636."

Speaker Madigan: "You've all heard the Motion. Those in favor say 'aye'. Those opposed say 'no'. The 'ayes' have it. The Motion is adopted. There shall be a request for a second Conference Committee. The Chair recognizes Mr. McPike to announce the time and the meeting place of the Conference Committee. Mr. McPike."

McPike: "Thank you, Mr. Speaker. The Conference Committee on these two Bills, 783 and 1636, House Bills, will meet in

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Room 114 at 2:00 p.m. I now move that the House stand at recess until the Call of the Chair."

Speaker Madigan: "Alright. The Gentleman has moved that the House stand in recess to the call of the Chair. The purpose of the Special Session and the purpose of the Conference Committee meeting will be to resolve differences relative to the appropriation for the Supreme Court for the administration of the judicial system, and the appropriation to the Department of Mental Health and nothing else. Please let me underscore. Nothing other than the appropriation to the Supreme Court and the appropriation to the Department of Mental Health. I encourage all Members to attend the meeting of the Conference Committee in Room 114. So if you're interested in what will be discussed, what will be decided, why things were done and not done, attendance at the meeting is the best way to get the answers to those questions. The Chair recognizes Mr. Daniels."

Daniels: "Mr. Speaker, you are correct in your statement as to the purpose of this Special Session, and your interpretation is correct because the Governor has called us in Special Session, which is where we stand right now. I should reiterate to you, as I did before, this side of the aisle stands ready, willing and able to complete the budget process as quickly and as soon as possible. I've instructed my conferees, Representative Mays, Representative Tate, to be present at the Conference Committee, to do their best to cooperate with you and with the Senate in resolving whatever differences exist between the two Bills, so we can complete the Special Session work. I should tell you, at the same time, that at our Conference we will discuss the issue of the alleged adjournment of the House, and that several of our Members have raised the

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Constitutional issue that this House cannot adjourn without the consent of the Senate and that it was an Unconstitutional action of last evening. I advise you that in the spirit of an effort to complete our work and to complete the agenda that is before the House on 55 Bills, and matters that have not been accepted by the Clerk's office since 5:00 yesterday. I will report to you on the conclusion of our Conference as to the Members approach on the question of whether or not this House stands adjourned. But I do agree with you as to the statement of the Special Session, subject to the Governor's Call."

Speaker Madigan: "Thank you, Mr. Daniels. Mr. Huff."

Huff: "Thank you, Mr. Speaker. I rise on a point of personal privilege, and I respectfully suggest we might accelerate our labors considerably if we consider merging the Supreme Court with the Department of Mental Health."

Speaker Madigan: "We want to thank Mr. Huff for setting the tone for today's work, and there is a request for a Republican Caucus in Room 118, which we can do immediately, and the House will stand in recess to the call of the Chair. Thank you."

Clerk O'Brien: "May I have your attention, please? Barring any situations that may change, we should be going in Session in approximately one half hour. We will notify you ten minutes, at least ten minutes, before we are going in Session. We should be going in Session about 6:15. Thank you. May I have your attention please. The House will convene in ten minutes. The House will convene in ten minutes. Thank you. May I have your attention please? Will all House Members please come to the House floor? All House Members please come to the House floor. Session will start very shortly. Thank you."

Speaker Madigan: "The House shall come to order. The House shall

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come to order. The Members shall be in their chairs. On the House Calendar, Special Session #1, there appears a Conference Committee report on House Bill 783. The Chair recognizes Mr. Tate."

Tate: "Thank you, Mr. Speaker, Members of the General Assembly. As we all know, we have put in long hours to shape the budget for FY88 to guarantee appropriate funding for services that are vital to the citizens of this State. Services like Mental Health. I, myself, have spent a great deal of time this Session in Conference Committee to resolve different budget issues and to see that the State lives within its means. Earlier today I made some remarks which could be misconstrued by some to represent a lack of concern for the mentally ill citizens of this state. Nothing could be further from the truth. I sincerely apologize for the poor choice of words that I used to convey my frustration over the lack of funding for community based programs within the Department of Mental Health, and I remain deeply committed to the mentally ill and the developmentally disabled citizens of this State. I hope you believe me, and I say in my words I used today, in no way does it reflect the feelings that I have in my heart. Today we have House Bill 783, which is the Conference Committee report for the Department of Mental Health. This provides additional funding above and beyond the level that this House has consistently supported in the last two Conference Committee reports that we have acted upon. It provides \$4,000,000.00 additional funding for the operations budget in the Department of Mental Health, as well as \$4,000,000.00 in the community based awards and grants. All four caucuses in the Conference Committee report have signed off and approved this report. I move for its adoption."

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Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Motion. I also want to thank our hard working staff on both sides of the aisle that spent two hours rewriting the entire Mental Health Budget which, as you can see, is 26 pages long, and required almost every line in that had to be changed as a result of the agreement reached today, which was \$8,000,000.00 additional over the first Conference Committee, \$4,000,000.00 for the communities and \$4,000,000.00 for the institutions. For the record, I would just like to recite a couple of highlights bringing us to this point. I would like to reiterate that we have tried throughout this process to balance the budget. We believe we have done that. We have been working all along with the Governor's 'no tax' level that he provided us, a couple of months ago, two months ago, of 10.6 billion dollars. We felt at that time that he could roll over the note and so our target was a little over 10.7 billion dollars. We have hued to that all the way through the process, right up through Conference Committee Report #1. I stand before you today more confident than ever that we can maintain that figure because we have a cash balance of \$150,000,000.00, which is over \$100,000,000.00 above the year end... previous year end projections of the BOB. We have enacted a new revenue source which was not in any revenue projections used at any point in the budgeting process. We now have the multi-state lottery. Original estimates from the BOB were 54 million in new revenue. The Taxpayers Federation accepts a 40 million dollar figure, so that is something we have looked forward to. The Governor, if he wanted to, without making any cuts, could withhold merit comp raises if he chose, and these are non-collective

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bargaining unit employees, and that's 24 million dollars. If there are staff cuts, you should be aware that the three major agencies, Mental Health, Corrections and Children and Family Services, added 540 new jobs since the beginning of the last fiscal year, 500 of which were added since the election. So that there are places where choices can be made, if necessary, that will not injure programs on this budget. I would point out the history of this budget has been particularly interesting because, of all the budgets, this is really... seems to be favored by all parties, both Chambers, more than any other. It came out of the House Committee 26 million dollars above the '87 expenditure level. When it hit the floor, a Republican Amendment added 10 million dollars. It went to the Senate. The Senate Committee added 8 million dollars. It got to the Senate floor. The Senate Republicans added another 20 million dollars. So by the time it left the Senate and came back to us, it was 64 million dollars above the fiscal '87 level, which we had used as our bench mark for all budgets. We felt, in adopting Conference Committee Report #1, accepting a 44 million dollar add-on was a compromise. We took it from 64 million above '87 levels to 44 million above '87 levels. It seemed to us like a pretty reasonable compromise, especially when education, which is a 3 billion dollar budget, only got a couple of million dollars above their '87 level. So we felt we had done a pretty good job. We were sorry that the Senate had rejected that. As you know, it passed the House almost unanimously, 115 to 1. The Senate rejected that and that's what forced us to Conference Committee. In Conference Committee we maintained our position that the House Republicans and Democrats stood firm, but the Senators also were insistent, and so, ultimately, they offered a 12 million dollar

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compromise. We counter-offered with 6 million. They counter-offered with 8 million and we struck a deal. So the Bill that you have before you is the result of a compromise, pure and simple. Now, lastly, we do not know whether the Governor will sign this. We invited the Governor to attend the Conference Committee. He did not attend. Jim Reilly, Deputy Governor, did not attend. The Bureau of the Budget was not represented there. And by the way, this is not an... the inviting attendance by Administration officials is not unusual. Jim Reilly attended the last Conference Committee meeting on June 30, on the other budgets that we were putting together at that time; however, they chose to ignore this particular Conference Committee, despite an explicit invitation. So we do not know what their current targets are and we do not know what they will sign. So we did ask... "

Speaker Madigan: "Mr. Bowman?"

Bowman: "Yes."

Speaker Madigan: "Could you bring your remarks to a close?"

Bowman: "I... I am about to do that. I know the time is late and I presume there will be no more speeches on this subject."

Speaker Madigan: "Well, Mr. Bowman, there are three others seeking recognition."

Bowman: "I beg your pardon."

Speaker Madigan: "Thank you."

Bowman: "The last point that I was making is that we challenged the Senate Republicans, who insisted on the additional money, to go to the Governor and ask him to sign the Bill, because we have no commitment at this point. Otherwise we will be back here in the Veto Session and we will be debating the same issue at that time."

Speaker Madigan: "Representative Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. While Tinley Park and Ludeman are in my Senator's district, which is Senator Mahar, we have had many phone calls from many people that have received layoffs. While I know Representative Bowman or Representative Tate can't answer the questions, I would like to go on record as saying that I didn't mind staying here another day, but I certainly hope that all those people that did receive the layoff notices will be reinstated."

Speaker Madigan: "Mr. Rea."

Rea: "Thank you, Mr. Speaker. Just very briefly in a followup to Representative Barnes. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Rea: "In terms of the line item on personal services for FY87, in comparison to FY88, what is the increase there?"

Tate: "\$24,583,000.00."

Rea: "Okay. As a result of the increase, then, this will meet... this budget, as presented, would meet the needs of the contract and the salary increases?"

Tate: "Very well."

Rea: "One other question. That as the budget leaves here today, then this would provide for all the employees, or could provide for all the employees that are employed now, and would not necessarily have to be a layoff or any closing of any of the institutions. Is that correct?"

Tate: "It would provide not only for existing staff, but also provide for an increase in staff."

Rea: "It would provide not only, then, for the existing staff, but also for an increase in staff."

Tate: "Correct."

Rea: "Thank you very much."

Speaker Madigan: "The question is, 'Shall this Conference report be adopted?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish?"

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Mr. Stephens to explain his vote. The board is open. The board is open. Mr. Stephens to explain his vote."

Stephens: "Mr. Speaker, thank you. I just wanted to take a moment to explain my vote, to thank Representative Bowman, and especially to thank my seat mate, Representative Tate, for their cooperation, and most of all to both of you, and to both sides of the aisle, and I think all of the... all of the votes here tonight, for the caring that we have."

Speaker Madigan: "The Clerk shall take the record. On this question there are 108 'aye', no one voting 'no'. This Bill, having received the Constitutional Three-Fifths Majority, is hereby declared passed. House Bill 1636, Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen. House Bill 1636 is the Court's appropriation. Conference Committee 2 differs in Conference Committee #1 only in the matter \$160,000.00, a net increase in \$3,588,000.00 in GRF. I don't think any questions are necessary. I move the adoption of Conference Committee Report #2."

Speaker Madigan: "Those in favor of the adoption of the Report will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.... Have all voted who wish? The Clerk shall take the record. On this question there are 100 'ayes', 4 'nos'. This report, having received a Constitutional Three-Fifths Majority, is hereby declared passed. Mr. Clerk, do you have a Resolution?"

Clerk O'Brien: "Senate Joint Resolution #1 resolved by the Senate of the 85th General Assembly of the State of Illinois, at the First Special Session thereof, the House of Representatives concurring herein, that when the two Houses adjourn on Wednesday, July 1, 1987, they stand adjourned sine die."

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Speaker Madigan: "This is the Adjournment Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk, is there anything else in this Special Session? Agreed Resolution."

Clerk O'Brien: "House Resolution 84, offered by Representative Parke."

Speaker Madigan: "Those in favor of the Resolution say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Is there anything further? Ladies and Gentlemen, before you leave... Ladies and Gentlemen, before you leave, this concerns your travel allowance. Before you leave, if you went home last night and came back this morning, come to the well and complete an application to receive a travel allowance. If you went home last night and came back this morning, come to the well and complete an application to receive your travel allowance. Mr. Clerk, is there anything further?"

Clerk O'Brien: "Nothing further."

Speaker Madigan: "Mr. McPike moves that the Special Session do stand adjourned. Those in favor say 'aye', those opposed say 'no'. The Special Session does stand adjourned sine die."

07/27/87  
10:03

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