

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
TWELFTH SPECIAL SESSION

1st Legislative Day

7/13/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off cell phones, pagers and laptop computers. We ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Pastor Crawford: "Let us pray as we approach His heavenly throne. Most gracious and kind God, creator of us all, whom we do love and we do adore. For it is You who we worship, for it is from You for all our blessings and help come from. Look upon us gathered here and with Your favor, Father, I pray that You will direct us in all of our actions. Grant to us vigilant hearts. Father, give us minds to know You, give us diligence to seek You and grant us a wisdom to find You. Father, sanctify us and cleanse us with Your most precious presence, bless us with Your might, assist us with Your great counsel, that all of our endeavors, that they begin with You. And through You may we rejoice in this wonderful and precious companionship and relationship that we have with You. This we ask in Your Son's name. Amen."

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

Watson - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "All right. Once again, only punch your own button. Roll Call for Attendance. Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Would the record reflect that the following Democrats are excused today: Representatives Collins, Representative Currie, Representative Dunkin, Representative Feigenholtz, Representative Howard, Representative Osterman, Representative Slone and Representative Kelly."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Biggins, Representative Myers, Lindner, Black, Sommer, Beaubien, Osmond and Mathias are excused today."

Speaker Madigan: "Mr. Hannig."

Hannig: "Thank... thank you, Mr. Speaker. There are two late additions to the list of excused Democrats. That's Representative Scully and Representative Graham."

Speaker Madigan: "Mr. Bost."

Bost: "Thank... thank you, Mr. Speaker. We'd also like to add Representative Jerry Mitchell to the excused list, please."

Speaker Madigan: "The Clerk shall take the record. There being 98 people responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, read the Proclamation of the Governor."

Clerk Mahoney: "Proclamation 2004-205."

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WHEREAS, the Illinois Constitution requires the General Assembly to make appropriations for the expenditure of public funds for the fiscal year for state departments, authorities, and public agencies; and

WHEREAS, the General Assembly has not made appropriations for fiscal year 2005 for the expenditure of public funds for the Family Care Fund within the Department of Public Aid; and

WHEREAS, there are currently many indigent families without health care coverage throughout the State of Illinois; and

WHEREAS, the Family Care Fund provides basic medical coverage to indigent families throughout the state;

THEREFORE, pursuant to Article IV, Section 5 (b) of the Illinois Constitution of 1970, I hereby call and convene the 93rd General Assembly in a Special Session to commence on July 13, 2004, at 12:00 p.m., to consider any legislation (new or pending), which will address directly the budget of the Department of Public Aid for the Family Care Fund for fiscal year 2005."

Speaker Madigan: "Mr. Hannig. Excuse me, Mr. Hannig. Mr. Clerk, read the Resolutions."

Clerk Mahoney: "Twelfth Special Session House Resolution #1 and Twelfth Special Session House Resolution #2 are introduced."

Speaker Madigan: "Mr. Hannig."

Hannig: "Thank you, Mr. Speaker, Members of the House. I move for the immediate consideration and suspension of

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applicable House Rules for the adoption of the Twelfth Special Session House Resolutions 1 and 2."

Speaker Madigan: "You've all heard the Gentleman's Motion. Is there leave? Leave is granted. Mr. Clerk."

Clerk Mahoney: "Twelfth Special Session House Resolution #1.

RESOLVED, that the Rules of the House of Representatives of the Ninety-Third General Assembly be adopted as the Rules of this Twelfth Special Session, so far as the same may be applicable, and that the Committees of the House of Representatives of the Ninety-Third General Assembly, including the House Journal Review Committee and their membership, shall constitute the Committees of the House during this Twelfth Special Session. Twelfth Special Session House Resolution #2.

RESOLVED, that the Clerk inform the Senate that a majority of the House of Representatives has assembled, pursuant to the proclamation of the Governor, convening a Twelfth Special Session of the General Assembly, and are now ready for the transaction of business."

Speaker Madigan: "Mr. Hannig."

Hannig: "Would the Clerk please read the Twelfth Special Session House Resolutions #1 and #2?"

Speaker Madigan: "Mr. Hannig, that's been done."

Hannig: "Okay."

Speaker Madigan: "And we'll recognize you for a Motion. Mr. Hannig on a Motion."

Hannig: "Yeah, Mr. Speaker, I would move for the adoption of the Resolutions 1 and 2."

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Speaker Madigan: "All right. Now you've all heard the Gentleman's Motion. Is there leave? Leave is granted. Mr. Flider. Mr. Flider."

Flider: "Point of personal privilege."

Speaker Madigan: "State your point."

Flider: "Yes, Mr. Speaker, thank you. And Ladies and Gentlemen of the House, I'd like to... I'd like you to join me. Obviously, many issues that we discussed today are very important to senior citizens and we have a group of representatives from the Decatur area chapter of the American Associations for Retired People, AARP, here in the gallery behind me. And I'd like it if you would please welcome them. If they would stand and please be recognized. Thank you."

Speaker Madigan: "Mr. Hannig in the Chair."

Speaker Hannig: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, my plan for this Special Session is identical to my plan for the previous Special Sessions. This Special Session called by the Governor relates to the budget for the Department of Public Aid for Family Care Fund for fiscal year 2005. I'm pleased to tell you that the House, on May 31, 2004, in Senate Bill 3350, House Amendment #2, passed a Bill by a vote of 64-51-2, which provided for this appropriation. So, in terms of the purpose of the call for this Special Session, the House has already done its job. And my Motion would be that this Special Session stand adjourned to the already established Perfunctory Session schedule."

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Speaker Hannig: "You heard the Gentleman's Motion. And on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "He indicates he'll yield."

Parke: "Good afternoon, Mr. Speaker. It's good to see you today. We are ready to go, to do the work of the House. I think we have approximately 98 Members here ready to go. What... what do we have on the agenda today to do?"

Madigan: "Mr. Parke, there is nothing that could be called before this Special Session."

Parke: "Well, then there's an obvious questions that the taxpayers of the State of Illinois would like to ask, 'why are we here, Mr. Speaker?'"

Madigan: "Because the Governor has set a course where he will call these Special Sessions day in and day out. You can see from the chart in the front of the chamber that the costs have now risen to over \$200 thousand just for the purpose of calling Special Sessions where not one item of business has been conducted in a Special Session to date. Any business that has been conducted by the House since the Governor started calling Special Sessions, has been done in the regular Session where we are not required to pay the per diem allowance."

Parke: "Now, I've read in the paper recently that the impasse is about \$200 million and we're at \$200 thousand in per diem. So, we're about 1 percent and growing. What could we do with \$218,595 to help with the fiscal impact... impasse that we have at this point in time? Is that... is that a

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significant amount of money to help solve the problems that we have?"

Madigan: "Mr. Parke, I'm sure there are items within the budget that could be paid for with this money. My view of the situation is that I think that, ya know, the average household income in this state, the average household income is probably under \$50 thousand a year. So, the \$200 thousand that we've wasted constitutes the average family income for four Illinois families. So, that'd be my view of what the waste has been to date."

Parke: "Well, again, as day after day after day I have asked you why are we here. The same response. We continue to spend taxpayers' money that is not necessary to be spent because the Governor insists on having us here like we are children and being... I feel like I'm being disciplined for no action. I've asked you in the past is there anything we can do as Members serving here. And your response has been correctly, 'no, there is nothing we can do'. So, here we sit again, irritation level is starting to grow within the Membership. And I don't blame 'em when we have no practical purpose for being here. The negotiations are going on. We get briefed on our side almost every day as to what's going on. We let our Leader know where we want him to go in the negotiations and we have confidence in our Leader, just like your Members have confidence in you to take those concerns to the bargaining table to express those concerns and come up with up with a workable compromise that can be done and presented to the people of

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Illinois and let us have a chance to vote on it. We are wasting our time day after day, sitting here doing very little and accomplishing even less. When a deal is cut we should be invited to come back to review it, decide if there's any last minute changes to it and then give us an opportunity to vote on it. Day after day being here is ridiculous and I for one am fed up with it. And so, I would just like to ask one last question, Mr. Speaker. A number of Members have come to me and said that yesterday we were... went into regular Session and their concern was that we were told that we would have a 24-hour notice to go into regular Session and some Members were not called to come in yesterday. And so, there was a question as to whether or not we are having a procedural problem, and if so, what can we do in the future to help solve that, Mr. Speaker?"

Madigan: "Well, Mr. Parke, my comments in the past regarding 24-hour notice related to a condition where we would not be at the Capitol Building, where the Members would be back in the district asking their constituents how do they feel about a government that borrows and spends money that it doesn't have and a government that adopts budgets to provide for spending money... spending more money than the government takes in. It would be in that context that I would think in terms of a 24-hour notice to people to come back to Springfield. My view when we're all here, pursuant to the special calls of the Governor, is that people are in the building. Yesterday we called up a Bill that we felt

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ought to be moved quickly to try and rectify some mistakes that have been made in the appointments to Health Facilities Planning Board. So, for those who were not at the Capitol yesterday, I offer my regrets for that condition. We're here today. We plan to call, I believe, one Bill today. And so, all I can say to you is that my previous comments on 24-hours notice related to a condition where we would not be here needlessly spending per diem allowance money."

Parke: "Thank you, Mr. Speaker. Do you see that we may adjourn today and go home until... until an agreement is made and then we'll be called back over a period of the next couple days or do you see us back in here again tomorrow?"

Madigan: "My expectation is that the Governor will call a Special Session for tomorrow."

Parke: "Thank you, Mr. Speaker. "

Speaker Hannig: "The Gentleman from DuPage, Representative Meyer."

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

Speaker Hannig: "He indicates he'll yield."

Meyer: "Mr. Speaker, could we have your perception of where we are in the process of reaching some type of an agreement that would be brought before us to examine for a vote?"

Madigan: "Mr. Meyer, there has been progress in the negotiations, but it's slow progress. It's not fast progress. And whenever anyone asks me for a prognosis as to when we might have a final agreement, my normal response is simply to say, later rather than sooner."

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Meyer: "Well, my concern is that we're coming up on the end of the month and, as you are aware, we only passed a one-month budget to carry us through the end of July. Do you anticipate that we'll be looking at a one-month budget for August?"

Madigan: "I would hope not. I would hope that reasonable people would prevail in these negotiations and all of the participants to the negotiation would recognize that we ought to be about the business of ending the budget impasse. It could be done. But we need reasonable people to come to the negotiations and to recognize that we are now in an overtime Session where we need an extraordinary vote to pass anything. And under those conditions, reasonable people should become even more reasonable and come to a resolution on the budget impasse so that we can go home, spend more time with our constituents and find out how they feel about things."

Meyer: "Well, certainly I believe that the people on this side of the aisle are willing to work on this budget. We have been giving input to our Leader during the impasse here. I believe that we are putting forward a reasonable stance on... on the issues that are being discussed. And I would hope that those that would appear to be unreasonable on where they are on the budget would find the light, so to speak, and get on with the work of the people of this state so that we would have a budget that our constituents can depend upon, that will be there for those that need it the most, those with disabilities and those that need the

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assistance of the state for an interim period of time.

Thank you very much for your comments."

Speaker Hannig: "The Gentleman from Winnebago, Representative Winters."

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

Speaker Hannig: "He indicates he'll yield."

Winters: "Mr. Speaker, I approached you earlier today and wanted to know if you might happen to have in your bag of legislative tricks, a rope? I'm looking for a rope. Would you have one of those available? And the reasoning for my... my question is, this morning as I was going into the Illinois State Museum I noticed a teacher and about 20 little kindergarten kids. And there was a rope that attached all of those and the leader, that teacher, had each one of those kids holding onto the rope so they wouldn't get lost on their way to their destination. We have spent almost \$220 thousand that could've been used to support teachers just like that for only a minor portion. We could probably also finance a rope. And if you would tie that rope... a lot of little loops in the rope you could lead all of us to that promise land of a balanced budget for next year. So, Mr. Speaker, if you haven't yet got a rope, please go out and consider bringing one tomorrow so you can lead us through to that balanced budget that we all want. Thank you."

Speaker Hannig: "Is there any further discussion? Then Speaker Madigan renews his Motion to adjourn the House Special Session to the Regular Perfunctory Session schedule that

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has already been distributed to the Members. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. And the House Special Session stands adjourned."

Clerk Mahoney: "The House Rules Committee will meet immediately in the Speaker's Conference Room. The House Rules Committee will meet immediately in the Speaker's Conference Room."