

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
SECOND SPECIAL SESSION

2nd Legislative Day

7/15/2009

Speaker Madigan: "The Second Special Session shall come to order. Is there leave to use the Attendance Roll Call of the regular Session for the purpose of the Attendance Roll Call of this Session? Leave is granted. Mr. Clerk."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on July 15, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is a Motion to Table Amendments 1 and 2 to Senate Bill 1292. Amendment #1 is 'recommends be adopted' on Senate Bill 1216; 'recommends be adopted' Amendment #5 to Senate Bill 1292; and 'recommends be adopted' is Amendment #2 to Senate Bill 1912."

Speaker Madigan: "Mr. Clerk, on page 2 of the Calendar on the Order of Senate Bills-Second Reading there appears Senate Bill 1292. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1292 has been read a second time, previously. A Motion to Table Committee Amendment #1 has been approved for consideration."

Speaker Madigan: "Mr. McCarthy on the Motion."

McCarthy: "Thank you, Mr. Speaker. I move to table Amendment #1 to Senate Bill 1292."

Speaker Madigan: "You've all heard the Gentleman's Motion. You've all heard the Gentleman's Motion. Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are

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113 people voting 'yes', 0 voting 'no'. The Gentleman's Motion is adopted. Mr. Clerk."

Clerk Mahoney: "A Motion to Table Committee Amendment #2 has been approved for consideration."

Speaker Madigan: "Mr. McCarthy on the Motion."

McCarthy: "Thank you, Mr. Speaker. I make a Motion to Table Amendment #2 to Senate Bill 1292."

Speaker Madigan: "Mr. Black."

Black: "Thank you Mr. Speaker. Will the Sponsor for the Motion yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, I didn't get... wasn't quick enough on the speak button to ask you about Committee Amendment #1, but let me focus on Committee Amendment #2. What you are doing you are tabling proposed reform Amendments to the pension system, part of what you said earlier would be a pension reform Bill, correct?"

McCarthy: "Correct."

Black: "So, Committee Amendment #2 would change the employee contribution from 8 percent to 7 percent, correct?"

McCarthy: "For TRS only, that was a mistake in the original drafting of the Bill."

Black: "Okay. So, it's late. I don't want to belabor the point, but I have been here a long time as you have and I know how this place works. So, you vote... those of us who voted and it was unanimous for Committee Amendment #1. And now those of us who vote for Committee Amendment #2 can

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expect to see a mailer in about a year that says we voted against pension reform. So, it's the old trick bag and you wonder why sometimes things don't go smoothly here."

McCarthy: "I don't believe that's going to happen."

Black: "You don't think so."

McCarthy: "I think that I have made my position clear that we are in desperate need of pension reform. Unfortunately, we needed a vehicle for the bonding Bill that I hope to pass in the next few minutes and there was no other vehicle available except for Senate Bill 1292 that was ready to go straight to the Senate today. So, I reluctantly gave up my Bill to be used for this and I hope at the end of our meetings of the task force on pension modernization to find another vehicle and then move forward with some of these reforms. In no way does this move today mean that we are finished with pension reform in this state and I hope that we're back here very quickly to enact some of the measures that were in 1 and 2 and also some other measures that may be found out through the task force hearings."

Black: "So, it's your intent, and I assume, and I know you to be an honorable individual, that the pension task form committee will continue meeting and will have recommendations for the General Assembly should we say no later than the Veto Session?"

McCarthy: "It would be not later than that. The task force... the Resolution that set up the task force said November 1 at the latest. We're hoping that it's going to be done

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before then. We don't want a rush to judgment job, but we do want to expedite it as quickly as possible. We're going to start having subcommittee meetings approximately every two weeks. So I think that probably by mid-August at the latest, or late August, we should be able to find out whether that task force is going to come to a conclusion that everybody agrees with. I have my doubts about that, but I've made it clear that, from the start of the task force, whenever the task force comes out, as far as their conclusions, that doesn't prohibit me from moving forward with any of the reforms that are in 1292 today. I hope to bring them back and hope to have your support when I do bring them back."

Black: "Let me just ask for a point of clarification. When we were here, and I lose track, a week ago, two weeks ago, or maybe it was in meetings with the Governor. I thought the Governor had said that he wanted a vote on pension reform now, meaning a week ago or how many days ago. Did he, in fact, not say that, he wanted that vote at that time?"

McCarthy: "He does. He would like it today to tell you the truth, but he agreed to the task force process. I think since we passed that overwhelmingly in this chamber and in the Senate..."

Black: "All right."

McCarthy: "...we need to honor what we did. We want to take the time to look over it thoroughly. This is a gigantic change

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to our state workers and especially our future state workers."

Black: "I agree."

McCarthy: "It's not very much of a change from our current state workers, actually, it's no change to the current state workers, but... so, we said since he supported the task force creation, we made it clear during the last meeting of the task force that we're going to follow through with our purpose. We're going to have the meetings. We're going to try and do it as an information gathering source and then move forward when it comes to a conclusion."

Black: "Okay."

McCarthy: "And then anyone in this chamber, of course, can draft Resolutions or draft legislation, depending on what happens in that task force."

Black: "So, in fact, the reform committee will continue to meet. I thought it was a little odd, sometime ago, that they wanted an immediate vote when the task force had not yet made a recommendation. So, the Governor, if I understand you correctly, the Governor is in support of using this Bill as a vehicle for pension bonding, correct?"

McCarthy: "Yes, he is."

Black: "All right."

McCarthy: "And he did like to move forward, but I made it clear to him, not only as the Chief Sponsor of the reform Bill but also as the chairman of the Pensions Committee, that

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that Bill was not going to be on any fast track and to override..."

Black: "Okay."

McCarthy: "...the task force."

Black: "And is it your understanding that the Governor now supports measures that you will bring forward shortly about bonding for the pension system?"

McCarthy: "He does support it and unlike the Bill that we passed out of here, in your absence, a couple weeks ago, I think he's still going to support it in a couple hours when it goes to the Senate."

Black: "So, it will be supported in both chambers, not just one?"

McCarthy: "That's usually more effective..."

Black: "All right."

McCarthy: "...when you do it in both chambers so..."

Black: "It seems to work that way. Thank you very much."

Speaker Madigan: "Mr. Clerk, what is the status?"

Clerk Mahoney: "A Motion to Table Committee Amendment #2 has recommends be adopted."

Speaker Madigan: "Mr. McCarthy moves to table Amendment #2. 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 112 people voting 'yes', 0 voting 'no'. The Motion is adopted. Mr. Clerk."

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Clerk Mahoney: "Floor Amendment #5, offered by Representative McCarthy, has been approved for consideration."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. Amendment #5 does become the Bill. There is a Amendment 3 and 4, which I am told that we do not have withdraw because they were never added to the Bill. But I want to make it clear that they are gone. Amendment #5 becomes the Bill. This is our..."

Speaker Madigan: "So, Mr. McCarthy, let me suggest that we adopt the Amendment and then debate the Bill on the Third Reading."

McCarthy: "That would be my pleasure."

Speaker Madigan: "So Mr. McCarthy moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 1292, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. Senate Bill 1292 as amended by Amendment #5 does become the pension bond obligation Bill and it sets to increase the bond authorization of our state to well over \$34 billion, an increase of

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\$3,466,000,000. As in Senate Bill 415 that we discussed at length on June 29 before passing that Bill with over 100 votes, the parameters of the Bill basically remain the same as 415. We do have a five year time limit on the Bill. The payback has to be within five years. There can be no balloon payment. The payments have to be of equal value for all of the five years. There is a... within five years parameter. So, if something came up in the bonding houses, where they could do it in four years for a much better rate, and we thought that was feasible, they could do it, but truthfully, most people involved in this think it is going to be the full five years. Instead of going to the... the proceeds going to Governor's Office of Management and Budget, as in 415 the money will be going to a fund that is controlled by the Comptroller and the Treasurer, and they make the payments out of this fund to the five different systems, maintaining that all of the systems will get their full certified payment as it was in Senate Bill 415. This will... we're still hoping that it's going to qualify for about a three and a half percent interest rate. This will be somewhere in a payment back of \$750 to \$800 million a year over the next five years. While this is a relatively drastic measure, I do feel, as we stated on June 29, we are in drastic economic budget times. I think now this is one of the only cards we still have left on the table. Some of the cuts that we have to make to providers across our state will be lessened by this bonding out of the \$3.4 billion.

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I think it's a wise move. I think if our economy comes back, as we all hope for, we will be able to pay back these notes. It is never easy to find \$800 million to pay something back, but I do have confidence in the economy. If just our income tax alone, our income tax is down over a billion dollars this year, if the income tax just came back to FY08 levels we would be able to, with that extra revenue, pay off all of these bonds. So, I do have confidence we will be able to do it. As I said on June 29, this isn't something we like to do, but I think because of the drastic measures that would be put into our budget, if we had to make those severe cuts without this \$3.4 billion in budget relief, we'd all have a much harder time living with that. So, I think the Bill's been thoroughly debated on the 29, except for the increase in the amount, which I did say was another 1.3 billion. And I would entertain any questions, and ask for your favorable review."

Speaker Madigan: "Mr. Eddy."

Eddy: "Thank you. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, just for clarification purposes, there have been borrowing schemes before related to the pension system, in which the systems did not receive their full payment. This is different than those types of borrowing that have occurred in the past, in bonding, in that the entire calculated payment to each of the systems will be made in full. Is that correct?"

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McCarthy: "That's absolutely correct and, in fact, there's language in there for the continuing appropriation. If in the fact, for one reason or another, we do not sell the bonds immediately, the payments will be made out of GRF and there's a process within the Bill that then when the bonds are sold the GRF is replaced first and then the, you know, the payments to the five systems are made. The full payment will be made to each of the five systems."

Eddy: "I think that's an important distinction, because I've had some e-mails and some phone calls today from individuals who have said we're borrowing from the pension systems, but that's not the case."

McCarthy: "You're correct."

Eddy: "We're borrowing to fund the pension systems fully with the actuarial calculated payment."

McCarthy: "I agree and I thank you for pointing that out."

Eddy: "Okay. Well, with the 3.466 billion that becomes available basically, we have discussed before the intent of this... this type of activity. And that is to make sure human services receive additional moneys so that some of those services can continue. Now, I think we're going to see several pieces of legislation today and the combined intent will be to see that that money for human services, that 2.3 billion that we talked about when we did 415."

McCarthy: "Correct. And that is stated under legislative intent on the first page of the Bill, that 2.230 billion that we added to the Bill, on Senate Bill 415, is in the

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legislative intent here. So, it makes it very clear community-based providers will, you know, will receive that first 2.23 billion."

Eddy: "Okay."

McCarthy: "The rest of it's going to be at the discretion of the Governor's Office."

Eddy: "So... okay. What about the other 1.23 billion?"

McCarthy: "That will be distributed to many different sources at the discretion of the Governor's Office."

Eddy: "So, the Governor will make the decision as to whether or not that money is used to fund education grant line items as opposed to positions at corrections facilities or whatever. This is going to be his discretion."

McCarthy: "It is going to be his discretion. He has already put out principles of allocation, which I think are, you know, make it very acceptable."

Eddy: "Okay. One final clarification. There was some, in 415 the sale, the actually sale of the notes, was being made... that sale was by the state not the systems. There were a couple different types of ways that that was going to happen in the original, kind of, concept. But in this concept, or in this language, the sale is made by the state and the payments are made, the systems themselves are not selling the notes."

McCarthy: "Correct, yeah."

Eddy: "All right."

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McCarthy: "I know what you're talking about. Early in discussions, they were talking about maybe TRS doing this on behalf of all the systems. The state's going to do this like they do most general obligation bonds and then the Comptroller and the Treasurer will certify the payments to the five systems."

Eddy: "Representative, very quickly. Mr. Speaker to the Bill. I think we're... we're in the same situation we were. We're just... we're just increasing the amount that is made available to the Governor through a cash flow strategy that includes the sale of short-term notes. The need is there. This is not anybody's idea of what would be the best case scenario, but today because we are facing some very, very difficult times this option seems to be the best of several bad options. And although I wouldn't normally stand up to support borrowing as a means to balance a budget, or even, not even balance a budget in this case, I think today this is what is facing us and I would urge the Body to support the Gentleman's legislation, so that we can move forward with other important work including the pension committee, the task force, and later, hopefully, we'll be able to show the real savings to the people of the state. I would urge an 'aye' vote."

Speaker Madigan: "Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker. I would like to begin again as I did when we considered Senate Bill 415 with thanking you, thanking the Speaker, and thanking Tom

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Cross and our Leadership for preserving within this Bill the \$2.23 billion that's directed at the community-based agencies. There are several important points that come to mind as we consider this measure. First of all is the community-based agencies, having been used as pawns in our strangling, and our struggling, putting all this burden on the most vulnerable people in our state, are in urgent need of relief because these are real live main street family issues that simply cannot go unaddressed. One of the greatest burdens on the community-based agencies is they figure prominently in the \$3.3 billion that is reported in the unpaid debts. It is critical that the Governor's Office pay community-based providers money that is owed them because those providers are also near the end of their bank lines and together with being threatened by this year's budget are virtually out of business and are facing very dire straights with dire consequences to the people whom they would serve. I would like to say that as I negotiated this Amendment this afternoon, the spokesman for the Governor's Office committed... committed to provide a comfort letter or some other expression of the Governor's commitment to pay down debt to community-based agencies. I think that point is very important to make clear in the legislative intent of this legislation. Finally, we all know that this is by no means sufficient, that there will be cuts in the human services, but we also must acknowledge that without this extraordinary measure those human

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services would be shorted by 2.23 billion. And so to that end I would again like to thank all the Members and encourage a 'yes' vote on this measure. Thank you."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Representative, I had voted for this previously, but this is a different Bill than what we saw a month ago. The numbers have increased by over 50 percent, have they not, for the borrowing?"

McCarthy: "The numbers have gone from 2.3 to 3.4. So, it's just a little tad under 50."

Franks: "How are we going to pay that back?"

McCarthy: "We're going to pay it back in a maximum of five equal payments."

Franks: "No, but how, where is the money coming from?"

McCarthy: "Well, part of it's going to come, hopefully, from the employees that are back on the job because of the construction Bill that was signed on Monday. As I mentioned in my remarks to one of the other questioners, our income tax, individual income tax alone is off a billion dollars last year. If that just comes back to the FY2008 level, we will more than make up enough money in order to pay off the debt service on these notes. So, I have confidence that our economy is going to continue. Unfortunately, it's probably going to continue at a slow pace, but I think we could look forward to at least meeting

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the FY08 number on income tax collected and with that extra money, pay off these notes."

Franks: "This won't do anything about the lapsed bills. Last year our... when our fiscal year ended, we had about \$3 billion in lapsed bills from the previous year. Are you aware of that?"

McCarthy: "I am aware of that. This will not affect those."

Franks: "In a matter of fact, won't it actually increase, by billions that we're going to owe next year? This budget. Not necessarily this Bill, but this is the only Bill we're looking at today for any revenue. There's no other cuts, correct? So, this is the only Bill that we're going to vote on today. This basically becomes the budget Bill, except for the appropriations and implementations Bill, correct?"

McCarthy: "Well, we've already voted on a lot of other budget Bills. This is a way to free up \$3.4 billion from GRF that we can use to soften the blow that a lot of these agencies across the state are going to feel. As I said, this is not the ideal, but it's also not the ideal to go home and close down a lot of these agencies that would be looking at a 50 percent cut without this Bill. So, I do think, though, as different from June 29 when I said it was the first step in a process, I still think it's a step forward. But I don't think the other steps that were more possible on June 29 to come out in the next couple weeks. I think this is finally... we're coming to the realization that an income tax vote is probably not going to be here at the earliest until

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the late fall. So, I think we have to go forward with it and this is one of the only options we have out there as far reducing those serious cuts."

Franks: "Well, I am going to talk to the Bill then. And I appreciate your hard work..."

McCarthy: "You've got to use up your time."

Franks: "No and I appreciate what you're trying to do. And none of us want to see the cuts in social services, but I... we're not acting prudently here. We are on the brink of a man-made disaster. Illinois's fiscal condition is horrendous and we really don't have a plan for balancing the budget. This will not balance the budget. Let's not kid ourselves; this is nothing more than smoke and mirrors. What we're doing now is we're putting off making hard decisions, which will only get us further into debt. What we're talking about here is taking on an additional three and a half billion dollars in debt. We're not talking about cutting and this is not how businesses and families in Illinois deal with their financial issues. Right now, we have over \$3 billion in lapsed bills from the previous fiscal year and all we're going to be doing is adding billions to this. And I... we cannot continue to put off the cuts that we need to do. Now is the time that I think we really need real leadership and that's required. This budget, what we're doing here, is not a solution, it's merely delaying the inevitable for political reasons. And instead of playing politics, we should rise up and make the

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hard decisions that will cut state spending. Now, when this administration gave its budget address in March, at that point it should have started to make some cuts. Instead, here we are the second week of the July, people aren't... may not get their paychecks and only now in this fiscal year are we talking about some solutions, but we're still not talking about the cuts that need to be made. And the Governor, in my opinion, did not have to decimate the social services like he did and the only reason we're in this position is because we're not making the hard decisions. None of us here can say that we've done everything we can to make the state more efficient and to cut waste. We know, we talked about the \$1.2 billion in receivables that the state has coming to it from companies that do business with our state that haven't paid their taxes and fees and we're not collecting them. If we'd sell that receivable, we'd get \$400 million. Why haven't we eliminated the Toll Highway Authority, for instance, and melted it into the Department of Transportation to save hundreds of millions of dollars? Why haven't we looked at closing inefficiencies and closing prisons and consolidating some of those? Instead, what we've been doing is we've been focusing on redistribution of wealth. We've been talking about tax increases, when we should be talking about growing the economy so more people can get to work. And we have to lift people up and not hold them back. And I think today is a reckoning day, and we ought

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to be confronting our situation because one of the previous speakers said we are in a better position if we vote for this and I respectfully disagree. We're going to be in worse shape than we were before we got here. What we're doing, Ladies and Gentlemen, is we are mortgaging our entire future and we're going to borrow ourselves into oblivion. Sure, some people are going to get their paychecks, temporarily, but for how long? Borrowing money and putting off cuts will lead us to bankruptcy. In real life, when a family acts the way that we're acting now, they lose their home and sheriff comes to evict them and haven't we really learned anything? What we're basically doing is putting the state on credit card and putting a second and a third mortgage on our house, so we don't have to... so we can just avoid reality. It's irresponsible and it's reckless. It's the easy way out and I believe it's the wrong way out. I can't think of any society since the dawn of time that has ever taxed or borrowed itself into prosperity. What we ought to be working on now are real cuts that have been enumerated and we have to be honest with the citizens of the State of Illinois. We are going to be in a much worse position than we were before we got here, because we are not making those hard decisions. I encourage my colleagues to implore the Governor to make these hard decisions and make the cuts now. If we don't, we're going to regret it bitterly."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Sponsor yields"

Black: "Thank you. Representative, in the legislative intent section, legislative intent to assist our most vulnerable citizens et cetera, et cetera. It is the intention of the General Assembly enacting this legislation that by applying the \$2,230,000,000 of the net proceeds of the sale. Can you define for me 'net proceeds'?"

McCarthy: "'Net proceeds' are the amount that is received less the cost of selling the bonds."

Black: "What would that cost be? Can you give me a rough figure, a rough idea?"

McCarthy: "The total fees that we've had projected here are \$8 to \$12 million."

Black: "All right. And that would be for underwriting services, et cetera."

McCarthy: "Correct, correct."

Black: "Okay. So, it is your intent and that of the General Assembly that the bulk of this bond sale will go directly into... This is where it gets confusing. The sale of the bond will go into the pension system, which frees up GRF or is the proceeds of this going to go into..."

McCarthy: "The... there's a pension fund set up that'll be controlled by the... the proceeds go into the pension fund..."

Black: "Okay."

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McCarthy: "...and then the Comptroller and Treasurer acting together dispense the funds to the systems. First of all, paying back any GRF that we have to expend in the first couple of months until the bond sale is completed and then after that they would make the monthly payments into the systems."

Black: "Okay. But this is the legislative intent. It is not... does not codify the intent in the Bill. It is simply the legislative intent. It does not obligate the Governor to do what we hope he does, correct?"

McCarthy: "Well, in the appropriations Bill we hopefully will spell that out even more. I know we have the agreement of the Governor and the legislative intent..."

Black: "Okay."

McCarthy: "...was added by people working from your caucus along with a couple of Representatives from our caucus and that's what they decided on when we added it to 415. So, we made sure for that 2.23 billion our commitment, that was made under Senate Bill 415, was completed in Senate Bill 1292."

Black: "And I thank Representative Leitch and Representative Eddy for getting to these questions, but let me, again, make sure that everyone understands. The additional \$1.2 billion will go into GRF where it will be controlled by the Governor as to how he distributes that money. Is that correct?"

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McCarthy: "That is correct. As I said, he did... he has issued his principles for allocation and I'd be happy to share with them..."

Black: "Okay. Well..."

McCarthy: "...share with you them after the debate."

Black: "...I think all of us know where we hope some of it goes. We do not have money allocated for adult education, for example, in our community colleges, because the 50 percent budget did not allow us to capture our federal tax dollars. I think that's false economy. I hope the Governor can correct that with the money you will be giving him. Also, the Monetary Award Program, the 50 percent budget, people were notified that all of the money would be spent for the fall semester leaving no Monetary Award grants for the spring semester. Again, a number of things need to be corrected and it's certainly your intent and the intent of the House and I assume the Senate that some of those will be corrected by the action of the Governor."

McCarthy: "I would hope so and in our meeting today he did mention the community colleges, mentioned that he was a former teacher at a community college. So, hopefully, he'll remember that when he's making the allocations..."

Black: "Okay."

McCarthy: "...as well. And we all know that many, many Members of this chamber have spoken to him personally about the MAP funding."

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Black: "All right. Let me... a previous speaker said that this doesn't balance the budget. Is that a bulletin to you?"

McCarthy: "That's incorrect. A budget is balanced if you only allocate spending equal to your revenues. That's what we intend to do before we leave here. Now, it might not be the budget you want or other people might want. They might want more money in it, but as long as we only allocate money for the revenues we have, or in this case, the bond proceeds we have, then the budget is balanced. That was an incorrect statement. If we go and we say we're going to spend 30 billion and we only have 24 billion, then that's an unbalanced budget. There's a lot of people who would have wanted more revenue. I think we're accepting the fact that right at this point we don't have that right now. So, we will present a budget implementation Bill that will spend the money we have, as the Speaker has said many times. If we spend just the money we have, then it is a balanced budget."

Black: "All right. I also heard a previous speaker said that there are no cuts. It's my understanding that there are budget cuts that have to be made in excess of one to one and a half billion dollars. Is that not a fair statement?"

McCarthy: "That is true. They are still going to have to make cuts over the introduced level, and there's already been some cuts that have been outlined, some will be included in the 'bimp' Bill today, I believe. But there are certainly

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cuts 'cause we have to do go down to the level of the revenue we have in order to make it a balanced budget."

Black: "And some of these cuts will, in fact, be painful and will not be what you want, nor will they be what I want. But the fact remains is that cuts have to be made and will be made."

McCarthy: "I agree with you a hundred percent."

Speaker Madigan: "Mr. Black... Mr. Black, could you bring your remarks to a close?"

Black: "Do I have to?"

Speaker Madigan: "Please."

Black: "Well, the timer wasn't on. How do you know how long I've spoken?"

Speaker Madigan: "I have been listening."

Black: "Not, not very carefully. I will, Mr. Speaker, if I may close. To the... to the Bill. Thank you, Representative and thank you, Mr. Speaker. I don't know what I'd do without you reminding me of my responsibilities. Well, Ladies and Gentlemen of the House, this is one of those dilemmas where there is no truly acceptable solution. I don't think any of us want to vote for this. I don't think many of us want to vote against it and precipitate falling off the cliff. We can't do that. We are faced at this late date and the previous speaker pointed out some of the reasons we are, we have to do something. This is the only Bill before us. I didn't see a number of Bills sponsored by anybody in this chamber on specific cuts and I know what many of you could

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say, they wouldn't get out of Rules Committee anyway and I find it... I find it always amazing that people who speak most loudly about the state of our fiscal ship are generally people who will not vote for a revenue increase. So, you can't have it both ways. This is what we're faced with. I don't like it. Shame, shame, on some people here who run this chamber that put us in this position. We didn't have to be in this position, but it's the position we're in. And if you vote against it, I want to see what your position is. Thank you."

Speaker Madigan: "Mr. Winters, could you hold your remarks to less than five minutes? Mr. Winters."

Winters: "Thank you, Mr. Speaker. Representative McCarthy, I wanted to go over some of the numbers here. Just to get a perspective on what we face next year if this is the solution for this year's budget. As I understand it, 3.466, or in rough number three and a half billion, is what we will be borrowing..."

McCarthy: "Correct."

Winters: "...in short-term notes payable over five years."

McCarthy: "Correct."

Winters: "And the interest cost over the next five years, up to 395 million, or something just below \$400 million."

McCarthy: "That sounds correct, yes."

Winters: "Okay. If you add those two costs together then, divided by five, it looks to me like our annual payment, if

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it was annualized at level, something around \$770 million.
And that would be doable next year, payable next year."

McCarthy: "Correct."

Winters: "That's the principal and interest for the next five years, about 770 million."

McCarthy: "Well, it'll be the next fiscal year, so it'll be payable in FY11."

Winters: "Correct."

McCarthy: "Correct."

Winters: "Correct. Because we are already in FY10, therefore, my comment about next fiscal year..."

McCarthy: "That happens. You're correct."

Winters: "...is correct. What I want to call to the attention of the Body and to the State of Illinois is the budget that we try to put together next year already has a failure of revenue of three and a half billion 'cause we're borrowing three and a half billion this year. If we want to have the same programs next year, no increases, no change, we already have a three and a half billion dollar hole from the borrowing, plus an addition 770 million or a four and a quarter billion dollar gap in the FY11 budget. And I don't know how long Wall Street or China are going to continue feeding money into the maw of Illinois government, when we can't figure anything else out than borrowing. We choose not to try to grow our companies. We choose not to restrict state agencies to close outmoded or duplicative agencies or bureaus or parts of agencies. Our answer is to

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borrow more money. I understand that we have paychecks that are due today. I understand that our social service agencies hope that they get more than 50 cents on the dollar, but is this the right way? I'd welcome Representative Franks, when he was talking, he brought up many of these same arguments. I would say, Jack, come on over on our side because your arguments are what we have been raising for the last six, seven, eight years. This state has borrowed too long and has put off the reckoning that we can't afford the size of government that we have today. We have to turn back and say what is essential to State Government and to our citizens and the portions of State Government that are not essential are no longer affordable. This is irresponsible to keep borrowing ourselves into debt. And I would urge a 'no' vote on this Bill. Thank you."

Speaker Madigan: "The last person seeking recognition is Representative Mulligan. So, Representative Mulligan will be the last speaker. Representative, if you could keep your remarks to less than five minutes. Thank you."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, I heard in the course of debate that that this is going to cost us \$8 to \$12 million for the bond sale."

McCarthy: "Correct."

Mulligan: "Who is making that?"

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McCarthy: "That has not been determined as of yet. They'll put out a RFP and move forward like they would with all bond sales."

Mulligan: "And who'll decide that? Some of the same people that worked some of the bond issues previously for us that got fees that they shouldn't have gotten?"

McCarthy: "Well, it'll be... it'll be some new people because we've cleared off a lot of those boards by some of the ethics legislation we did earlier in this term. So, there will be new people looking at it. And we have some new stronger restrictions as far as the fiduciary responsibility of those trustees. So, I think they'll be looking at it very closely and making sure that they, you know, adhere to the law."

Mulligan: "A couple of weeks ago, when the similar Bill was passed, I think I asked the same question, or something similar to this, and I thought I was told that the bond sale was going to be handled within house."

McCarthy: "No. That was... we handled... that's allowed to be done by negotiation, but it's going to be done. It was... originally, there was some confusion 'cause there was talk about doing it for TRS rather than have each individual of the retirement funds do it. So, it's going to be done in-house by the Governor's office through our RFP process."

Mulligan: "That you know of, were there any negotiations in either the House or the Senate, who took an inordinate

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amount of time in the Democratic Caucus, as to who would make the proceeds from the bonds sale on this deal?"

McCarthy: "I... I have no knowing. I don't think any of that determination has made as yet. I think after the RFP and we look over the bids that are produced by some of these bonding houses we will then determine which one we're going to go with and then they will, of course, make the money on the sale because they're going to do the work."

Mulligan: "Well, since..."

McCarthy: "But we don't know who that is now, you know."

Mulligan: "...the Senate never passed the Bill that eliminated positions and my understanding is some of the same people that worked here or worked the for last Governor are working for this Governor that have to do with who sells the bonds. Don't you think that should be scrutinized? Eight to \$12 million is a little bit of money to be made by whoever does these bonds."

McCarthy: "Well, I have faith that it's going to be scrutinized very closely and I think... that I don't know anyone who's gone to jail for that. So, I mean, there's... I think they'll watch over it closely and they'll go for the best bidder who meets all the requirements. They'll also look for, you know, minority investment in it, as required by law. So, I think it's going to be done and..."

Mulligan: "So, there will be there... will there be a bond counsel besides a bonding house?"

McCarthy: "The... I'm sorry?"

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Mulligan: "Will there be a bond counsel besides a bonding house so that there'll be a number of people who may make money on it?"

McCarthy: "I'm told that the Office of Management and Budget will hire a bond counsel, but there's not an existing one for this..."

Mulligan: "Normally, the entity, the governmental entity, has a bond counsel that they approve or that they have and then you go to a bonding house. The sale of this number of bonds, and the amount of interest that you're paying might dictate that they're divided up among several different places with one bond counsel but several bond houses?"

McCarthy: "I think they'll look it over and they'll do whatever they have to do to in order to adhere to the current law, as far as picking bonding sources."

Mulligan: "When the... agencies were required to go under CMS for all of their services. Do you mean we don't have any attorneys in Illinois or someone that we can hire or use at a cheaper amount for a bond counsel?"

McCarthy: "Well, we just gave you an estimate. We're hoping when the RFP is put out there that it comes in much lower. I mean, I gave you an estimate of 8 to 12 million which I've been given by staff. I mean, I would hope it'd be under 8 million and if it's a competitive nature, maybe it will be, but it sounds, from former bond sales for this amount, that it's been estimated at 8 to 12 million would be an approximate fair share for the bonding house."

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Mulligan: "All right. So, not only are we borrowing our way into deeper debt, we're also letting someone probably in the Governor's Office provide a perk to someone that sells the bonds and is a bond counsel. Government is wonderful."

McCarthy: "Well, I have confi... I have confidence that Governor Quinn is not going to do anything untoward as far as in the award of these bonds. I think he understands that the... not only the general public but the government here will be watching and this will be done correctly and we'll get the proceeds into the funds so we can pay the retirement funds."

Mulligan: "So, in the event that we don't or we can't sell all the bonds, although my understanding is that Illinois has not sunk quite as low as California, and we have to take the money out of general revenue, wouldn't that come out of programs that we would have in place because we can't sell the bonds?"

McCarthy: "Well, it will hurt the GRF fund for the first couple months until we sell it, but hopefully, that will be done, you know, within 60 to 90 days. That will replenish that GRF. Remember, our GRF funds are set there to last over the 12 months of the budget. So, some of the money that would be spent next April, May, and June should be available now to pay these, you know, continuing appropriation for the pension funds and then will be replenished after the bond sale is done. It's very clear in the legislation that, if for some reason that we can't

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foresee right now, that there is no bond sale made, the continuing appropriation does have to be made into the five systems."

Mulligan: "So, the General Assembly is still not doing a line item budget and the Governor gets to make the decision on who takes the hits in these areas, if we can't sell the bonds right away, until we come up with the money and how the money's going to flow through to agencies or providers that we are concerned about and that's the reason we're doing it. But we're still in kind of a tenuous situation 'til this is accomplished even under this quick fix, correct?"

McCarthy: "Well, I think the Governor understands we want to get this going as quickly as possible, but not so quickly that we get a bad price. We want to go through the standard RFP, you know, process, request these, you know, bids and then move forward on issuing the bonds. We do have to do it; we do have to see what the rate's coming back at that time. We have to be fiduciarily responsible to say, if it comes back at a higher rate than we think, then we may have to hold off for a little bit. We're hoping, and I talked to people at Citibank and Citigroup and they say that right now because this is a short-term five-year bonding Bill that that will help us as far as selling these bonds. That the Federal Government right now is in the process of taking out many long-term bonds, 30 years and more, so that they short-term market is actually

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in a little bit better shape right now than the long-term market and they told me that that would help us. And I do believe that, in their expertise."

Mulligan: "Well, I think it would behoove all of us to keep our eyes and ears open for this one."

McCarthy: "I agree."

Speaker Madigan: "Mr. McCarthy to close"

McCarthy: "Thank you Mr. Speaker. I appreciate the healthy debate. I do want to remind the Body that the cuts as Representative Leitch and Representative Black had pointed out, would be so severe that sometimes you have to do things that normally you wouldn't want to do. We are going to have a balanced budget. That's not going to make everybody happy. You know there are some revenue sources that are still out there that people would like to explore. I think we have to be responsible and move forward at this time. As I mentioned earlier, the reduction we've seen in some of our primary revenue sources: the reduction in income tax, both personal and corporate, the reduction in sales tax. They come over \$2 billion FY08 versus FY09. If we recoup even half of that, we can pay back these bonds and I think we'll come close to recouping the majority of it. We are moving forward some... some other remedies for this solution. The construction Bill that the Governor finally signed on Monday was another very good first step forward. We hope when those people back to work it will cascade through our economy and Illinois will start making

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a rebound. So, this is a tough vote, but I think it's the right thing to do. I don't want to make more serious cuts than have to made to the really needed services all across our state. So, I would hope that everyone would consider giving this an 'affirmative' vote."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. 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 88 people voting 'yes', 24 people voting 'no'. This Bill, having received a Supermajority Vote, is hereby declared passed. The Chair recognizes Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker. I rise in a point of personal privilege."

Speaker Madigan: "State your point."

Acevedo: "I'd like my colleagues to wish my seatmate, Lisa Hernandez... Representative Lisa Hernandez, a happy birthday. Yesterday was her birthday."

Speaker Madigan: "Mr. Riley."

Riley: "A point of personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

Riley: "Ladies and Gentlemen of the House, I just want to make you aware of something that happened in my district. You know, many times we have the unfortunate situation where we have to talk about a service person who was killed in action. I just want to make you aware of something that

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happened in my district about a service person who didn't even have a chance to risk his life in action, because coming home on furlough he was killed in his community. The young man's name is Simeon Sanders, 21, of Harvey, Illinois. He was shot and killed last Thursday evening at 154th and Center Avenue in the south suburb while walking with his cousin. Simeon Sanders was a graduate of Thornton Township High School and he'd been studying engineering at Tennessee State University when he decided to follow his sister, Shantelle Coleman's footsteps, and join the U.S. Army. We wanted to pay for his college and he went away to college, knowing that he was going to volunteer for the Army and he did it there because he knew that his parents really didn't want him to do that. Matter of fact, his mother said and I quote, 'He signed up while he was there because he knew we couldn't change his mind'. Always wanted to be an engineer, and as I said, he studied engineering at Tennessee State and he wanted to be an engineer while in the Army. The information I have right now is that he did some training in Washington and he was going to Fort Bragg, North Carolina, before a possible transfer to Korea. Now, those of you who are a veteran like me, know when you go Fort Bragg you're going to be involved in their airborne training. And I don't have the information, but knowing that at Fort Bragg they do have an airborne engineering brigade that's probably what he was going to be involved in and he wanted to be an airborne

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trooper. He was the youngest of eight children and it was unbelievable he was shot in front of Harvey Community Center trying to avoid some violence that he saw halfway down the street. And ironically enough, the Harvey Community Center was preparing for a peace rally and children had decorated the sidewalk with the words love, peace and kindness in colored chalk. Again, this is a terrible situation. Here's a man that was going to pay for his school and he had joined the service to give his life possibly for his country; instead he gave his life on the mean streets of some of our communities. I would just ask that you do this, that is if it's your will to do it, that you send a card or a letter. Send it to the Harvey Village Hall, 60429, expressing your condolences to the family. There's going to be a service. I believe, his funeral is going to be on Saturday, and I will be there, but how tragic and how ironic that a person, who wanted to give his life for his country, gave his life based on violence. So, if we could have a moment of silence, his spirit... Thank you very much fellow Members and thank you for your indulgence."

Speaker Madigan: "On Supplemental Calendar #1 there appears Senate Bill 1216. Mr. Clerk, what is the status of that Bill?"

Clerk Mahoney: "Senate Bill 1216 has been read a second time, previously. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

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Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I'd appreciate it if we could adopt the Amendment and then discuss the Bill on Third Reading."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, are there any further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 1216, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker, Members of the House. Much of what is in this Bill are measures that you have already voted on, you have seen before. It includes, for example, the operations budget including salaries as requested by the Governor. There are several new items, for example, full funding of line of duty awards through the Court of Claims, a lump-sum appropriation to the Department of Transportation so they can handle the stimulus and the capital Bill spending and the legal fees to provide for the settlement of the case challenging the constitutionality of the expansion of Family-Care. Finally, the measure deals with grant lines. It includes what we did, first of all, in Senate Bill 1197 and that is, we funded the grants to

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the agencies on a pro-rata basis at 50 percent of what they had last year. Second, it adds to that sum by providing the 2.23 billion of the pension obligation notes. That funding will go to the Governor in a lump sum to be spent on community-based services and also two agencies to the state-funded human service programs to make sure that the state continues assisting the most vulnerable. And finally, it takes the new pension obligation money that we've just seen for the first time today. That \$1.236 billion will go to the Governor to be spent at his discretion. There's been a lot of talk about whether these dollars will be adequate, will be inadequate, whether the cuts are deep, whether the cuts are deep enough. The grant lines will be funded at 86 percent of what they were funded in fiscal year '09. Overall funding will be 92 percent. There will be cuts. There is no way the Governor can manage this budget without significant cuts. Some would say the cuts are too deep; I would say that we are spending in Senate Bill 1216 all the money we have to spend. I, myself, would wish we had a little more so we could do a better job for the state's most vulnerable and fragile clients. But this is all there is; this is all we have. I'd be happy to answer your questions and I certainly hope you will join me in voting 'yes' on Senate Bill 1216."

Speaker Madigan: "Ladies and Gentlemen, as you heard Representative Currie say, the House has already voted on all but a small portion of this Bill. So, just about every

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item in this Bill except one has been thoroughly debated by the House and voted upon by the House. And I would hope you'd all keep that in mind. And... and let's keep our remarks brief. Mr. Eddy. Mr. Eddy"

Eddy: "Thank you, Mr. Speaker. Just to try to make this very, very brief. I think your words are true. We just have kind of taken two Bills and combined them into one Bill that really kind of extends the 50 percent cut but adds \$1.2 billion that increases the percentage. The 86 percent that you mentioned is kind of an average of the total amount and I think as I added up the Governor's going to get about nine out of the ten and a half billion dollars that he originally requested."

Currie: "That's correct."

Eddy: "And I think the Governor also requested the ability... the flexibility for the decision making so that with that... with that bonding money that we just debated 2... about 2.2 of that is dedicated to human services, and that's the understanding, and about 1.2 then becomes available to further support those line items above the percentage that we had a couple of weeks ago."

Currie: "Correct."

Eddy: "So, it's really kind of up to the Governor at this point. Because people will ask about a line item in a budget like the State Board of Education line item for Ag Education. Everyone would like to support certain line items. The Ag Education line item is obviously important

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in many schools. It's really kind of up to the Governor at this point to what extent that that line item gets funded."

Currie: "That's right."

Eddy: "So, he could choose because that's necessary to receive Perkins money on a federal match to fund that at a higher level than 86 percent because it brings in more money."

Currie: "That is correct."

Eddy: "But it does give him then the flexibility to do those types of things rather than just saying at every line item certain things have to be done."

Currie: "That's correct."

Eddy: "Okay. I think if we went through every budget, departmentally, he has those same options and I think that's all we're looking at here, is increasing that opportunity to the best extent we can with the available funds that we have. And Ladies and Gentlemen of the House, I think at this hour, at this late date, this is the most responsible thing to do because we have provided additional funds to the Governor and we've provided him with the flexibility to apply those funds. And those of you who are interested in a certain line item, I would suggest that you let the Governor's Office know of your interest and support those line items because his office requested and now has the ability to increase those funds, not all, be it not to 100 percent but to a percent, hopefully, we can live with until better economic times come our way. I urge an 'aye'

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vote and thank you, Leader Currie, for... for the increase and bringing this Bill forward."

Speaker Madigan: "Representative Bellock, please be brief. Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "I'd just like to ask because it was important to those of us that are advocates for social services to make sure that that 2.2 billion, I was trying to look it up, does say the wording that we put in the last time for community-based services."

Currie: "You will find it on page 104. It says services provided by community-based human service providers and for state-funded human service programs to ensure that the state continues assisting the most vulnerable."

Bellock: "Okay. The only thing else I wanted to make sure and I'm asking you, is that if this is going to delete some of the substance abuse and alcohol, you know, groups, were worried that they would will not be... groups that were already funded by the state, were worried that their funding which has been cut as of couple of weeks ago are going to continue to have it cut because they are not Medicaid matched."

Currie: "Well, I can only tell you that the Governor had proposed the kinds of standards that would guide his decision about funding, and substance abuse was one of the items on that list. So, I am hopeful that they will be

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funded in... now that we have a new budget. The Governor was proposing a large number of cuts. I think that it was an effort to terrify the human service community and I'm hopeful that with this budget the Governor will be singing a slightly different tune."

Bellock: "Thank you very much. To the Bill, Mr. Speaker. I would just hope that after this hysteria in human services has been created over the last couple of weeks, that in the support of this Bill, the Governor will honor his word and honor your contracts to these agencies. Thank you."

Speaker Madigan: "Representative Feigenholtz. Again, please be brief."

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

Speaker Madigan: "Sponsor yields."

Feigenholtz: "Representative Currie, I am comparing House Bill 2145 and Senate Bill 1197 and there seems to be a significant amount of money that was in 2145 in the grant lines that is not in this Bill. For... in the original Bill that we passed for operational expenses, awards, grants, and improvements was 1,666,000,000. And in this Bill the grants lines, the very lines that we are concerned with for our community providers and ops is diminished to 1,596,000,000. Could you please tell me how operations in the human services budget gets a bump, but GRF for grants is decreased?"

Currie: "In working with the Governor's Office, we discovered that there had been an error and that which had been

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thought to be a grant actually was part of operations. So, that error is corrected in this Bill."

Feigenholtz: "So, does that mean that the 86 percent funding is even smaller?"

Currie: "No, no, no. The calculation of the 86 percent was based on what we have put in this budget."

Feigenholtz: "Thank you."

Speaker Madigan: "Representative Mulligan, please be brief."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, in going through the amounts that are in the budget Bill DHFS has a significantly smaller amount. I'm assuming that the difference in their budget passed in the Bill that would cover the Medicaid expenses because they're showing two billion as opposed to four billion... or eight billion from last year."

Currie: "There was a different Bill that dealt with Medicaid for the federal stimulus and that I believe has already been signed by the Governor."

Mulligan: "Do you have any figures on how much actually was in that Bill that makes up the difference in the short-fall for that agency?"

Currie: "I don't. I don't, but that Bill went to the Governor more than a month ago and I believe he has signed it."

Mulligan: "Also the figures in the Bill, are those the Bill... the figures say for DCFS and HFS that were in the 50 percent budget and that the other money is the free money

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or whatever money that we're giving in the pension Bill, so that actually the sums that are quoted in this Bill are from the 50 percent budget Bill that we're not overriding?"

Currie: "The 50 percent money is here and that's the pro-rata share, each agency getting 50 percent of what it got last year. In addition, there is the 2.23 billion that will go primarily to community-based human service providers and to state agencies that serve our most vulnerable clients. And then, finally, there is the new 1.236 billion that will go to the Governor to be spent in... at his discretion."

Mulligan: "But that money is not divided up... the new money is not divided up either as a lump sum or any way else and added into the amount that was rolled over from the 50 percent budget Bill that the Governor vetoed?"

Currie: "The 50 percent budget... budgets are in this Bill, lump sums agency by agency. The next, the 2.23, that is, as I say, devoted to the lump sum, devoted to community-based human services and to... and to state agencies that serve the state's more vulnerable."

Mulligan: "So, it's to be divided up according to how the Governor wants. It's not divided up in this Bill."

Currie: "That is correct. And then the final 1.236, that just goes to the Governor and can be spent entirely at his discretion."

Mulligan: "To this Bill. With all due respect to the Leaders of this Body, this is a very unusual way to do a budget of any kind. To roll over a Bill that has been vetoed because

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we don't want to override the Veto to go along with the Governor, to throw in additional lump sums, but to still contain the amount that is 50 percent cut to human services. I find that a very strange way and not only that, normally when we do a budget we're allowed to ask questions, we're allowed to see the Bill. This is the shortest length of time we've ever seen a Bill and this is a really interesting way to do a budget. It certainly doesn't represent the way I would feel for the people that I represent, or what I would want to do to make the people of Illinois survive a really bad year, both with federal money and state money."

Speaker Madigan: "Representative Will Davis, please be brief."

Davis, W.: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Davis, W.: "Representative, in the information that we were handed out by staff, it indicates that this permits... this measure permits the Governor to spend 86 percent of his requested grant lines."

Currie: "That's right. And of course he could spend more because he does have discretionary money that could be used on grant programs or in other ways."

Davis, W.: "Okay. So does... does this Bill require any lump sum of money and if so, please tell me what that is to be spent to pay Medicaid bills?"

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Currie: "The Medicaid money was in a different Bill that's already gone to the Governor and has been signed by the Governor."

Davis, W.: "Okay. So this does not impact or has anything to do with Medicaid at all."

Currie: "Nope, no."

Davis, W.: "So, all of this money will go solely..."

Currie: "Well, I'm sorry. It could. It could because the Governor has discretion to spend more money in a Medicaid program, but the essential Medicaid budget is law."

Davis, W.: "Okay. So, do you know whether or not that's his plan? And the reason I am asking that question, and to trying to be specific is, again, we were given a percentage of 86 percent. So, we're going back and telling our agencies, and they're listening to this, indicating that... that 86 percent of the funding for various grant lines, various programs, community-based organizations will be... that authority will be given to the Governor. If he's spending any portion of this or if he's required to spend any portion of this on Medicaid first, then that 86 percent is not quite 86 percent."

Currie: "Well, some of the community agencies are, in fact, providing services that are Medicaid eligible. So he may want to encourage spending in those programs where we will get some federal financial help. I mean, for example, in the... Yeah, exactly. So, there's nothing that says that

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any of these community-based programs may not provide services to Medicaid eligible people, they do."

Davis, W.: "Okay. All right. And finally, I guess what I want to just be clear about, and I've tried to make this distinction before. In my own unique way of looking at this I see a difference between human services and social services. So, when I hear human services talked about over and over again, to me that excludes programs like CeaseFire, which I consider to be more of a social service program, Teen REACH, which is a social service. So, I just want to make sure that when we are talking about human services based programs that that does not exclude what may be considered by some to be social service-based programs, and that the Governor does have the ability to spend money on those programs or to fill those lines, as well."

Currie: "It does not exclude and the Governor has the discretion and the authority to do exactly that."

Davis, W.: "Okay. Thank you very much. Very briefly, to the Bill. Obviously, this is what we've been... the cards that we've been dealt. And this is what we have to deal with, and some have talked about whether or not this is a very unique way to do a budget or not and it certainly is a unique way to do a budget, but... and someone even mentioned that this is a good way of getting things done. Well, I don't see how borrowing money necessarily is a good way of getting... of doing things and getting things done, especially when we've had another option on the table. We

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could have seriously looked at the possibility of raising income taxes to try to deal with our budget situations, but for whatever reason that measure was not supported and I can guess why it was not supported but nevertheless that was on the table and we didn't do it. So, I hope that at some point in the future maybe we can come back and revisit the possibility of raising income taxes as a way to deal with our budget situation and I certainly hope that it will be able to gain support on both sides of the aisle because the budget Bill, I mean, excuse me... the income tax increase Bill we had was not supported on both sides of the aisle. And I certainly hope that we're able to do that. So, for those of you who think that this is good and this is the best way to do it, well, I would, you know respectfully disagree with you. And I don't necessarily think that this is the best way to do it, especially when we're presented with other ways to do it, that we should have taken up. We talk about how we are here to do what we need to do to support our constituents as well as the entire State of Illinois and certainly I don't know if this was the best way to do it, but of course, if this... these are the cards that we are dealt with, then that's what we will deal with and we'll vote and it will probably pass. And we will go home thinking we really did something, when I think the reality is that we certainly haven't done enough to support programs and constituents here in the State of Illinois,

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particularly those that voted and elected us and brought us down here to Springfield. Thank you."

Speaker Madigan: "There are two more speakers. We shall have two more people. Number one is Mr. Black and I know that Mr. Black wants to be very brief. Mr. Black."

Black: "Well, Mr. Speaker, in all due respect to you, I do not want to be brief. And I think it is beyond the pale that you have mentioned to every speaker, except a few, that we should be brief. You're asking me to vote on a budget that has ridiculous cuts to the Department of Human Services. You're not... you're not allowing many of us to ask the questions. You're the presiding officer; you can be a very intimidating individual. So, many people who have questions just get up... won't get up and say, well, I'm not going to ask any questions. Speaker doesn't want any questions. What a way to run a railroad. AFSCME's opposed to this. I don't know what community organization in my district gets in anything, 50 percent, 60 percent, 80 percent, pick a figure. I haven't heard very much said about the debt that we already owe community-based providers. The State of Illinois owes the Center for Children's Services in my district more than \$580 thousand with no idea of when they're going to get paid. And they got a letter three weeks ago that said you aren't going to get anything. Some of the community-based organizations in my district have closed; they've laid off all their people and yet, somebody says be brief, be brief, be brief. Well,

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I don't want to be brief. I want to know what the hell's going to happen to the people in my district who can't walk, who can't hear, who can't see, who can't take care of themselves. Brief, you had since March to do this. Every year for seven years you wait around until the last two days and then you tell us be brief, be brief. What difference does it make? You've already seen it. Well, I haven't seen it. You can turn on the timer and shut me off, but I'm not going to play this game. This is a prostitution of the process. How many of you even know what's in this thing? It's negotiated behind closed doors, thrown on my desk and I'm told, be brief. Vote for it. You've already seen it. Well, I didn't vote for 1197. Some of you did, but I didn't. You don't want to say anything about debt; you don't want to say anything about what community-based organizations will get what level of funding. Give me a figure. You don't say anything about layoffs. The Governor has said 2600 people have to be laid off. Who? In what department? When? The Governor's staff has said there'll be closures. You can't lay off a thousand Corrections workers unless you close something. And by the way, last year this remarkably managed state paid \$100 million in overtime to workers at the Department of Corrections, the Department of Juvenile Justice, and the Department of Human Services. A hundred million dollars in overtime and now I hear we're going to lay off 2600 people, a thousand of them in the Department of Corrections.

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Possible closures: who, what, where? Is it Howe? Is it Howe Mental Health Center? Is it Zeller? Is it a prison? Since I'm raising the holy Cain, it will probably be the prison in my district. I'm not going to abdicate my responsibility. I will not be brief; turn on the timer and shut me off, if that's what you want to do. You've had seven years of running this state. Those of you on that side of the aisle ought to really be proud of what you've done in the last seven years and now you want to do the same thing. Ram it through, don't ask questions, sit down, shut up; we know what we're doing. You don't know what you're doing. The proof positive is where we are today. Some of us followed you and you led us down the path to fiscal ruination, and now you want us to sit down, shut up, and go away. I want to ask the Sponsor, how many layoffs will there be if this Bill passes?"

Currie: "The Governor has said that there may be layoffs, but there doesn't have to be layoffs. The Governor can negotiate with state employees. They could, for example, take furlough days, something that we have already committed to do."

Black: "We have..."

Currie: "They could decide to forego... the agreed upon salaries during this coming fiscal year. There are many options and that is why it is important, I believe, to give the Governor maximum flexibility to manage this difficult budget in this difficult time."

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Black: "The president of the AFSCME union in my area told me, now maybe he is misinformed, but that AFSCME has never been formally approached to reopen the contract. Now, who do I believe? The Governor's staff told me they had been; AFSCME tells me they haven't been. So, what's the answer? If you haven't formally gone to the largest state employee union and asked them to reopen the contract, then how do you know what they're willing to take? Who's right? I can't get an answer. The reporters breathlessly report every night at 6 and 10. They're trying to close a ten and a half billion dollar deficit. The next day it's nine billion dollar deficit; the next day it's seven billion dollar deficit and if we pass this, it may only be four. We might be within two point two. My God, you can't get any information in this place. It's a moving target. How do you... how do you grab... how do you put your hands around what we've been up with... what we've had to put up with in the last few weeks? And I don't blame Governor Quinn. He inherited a mess, not of his making, and he's doing the best he can to try and get out of it. But we're pulled in two and three and four different ways. I didn't vote for 1197 and I don't want to vote for this. I sponsored a Bill that says when you put an appropriations Bill on any Member's desk, it must sit there for 48 hours. It must be on the Web site. Let the media see it; let us see it; let our staff read it; let us read it, for God's sake. No, no, we can't do that. That Bill won't get out of Rules. You

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can't do that. We can't have that. Why, because we never have? I want to know how many of you can go out to the press after you vote for this and tell them exactly what you voted on. There's too many of us in here who will vote because we're told to vote a certain way. The people who sent me here didn't tell me to come down here and listen to one or two people and vote the way they tell me to vote. And if you know anything about me, by God, I don't very often vote the way anybody tells me to vote. I vote based on what I can read and what I can listen to and what I can hear. But all I'm told tonight: sit down, be brief, we know what we're doing. Yeah. You go ahead and whistle; you go ahead and have fun. That's what you like to do over there. You pretend it doesn't make any difference; pretend that everything's going to work out fine. I suppose there could be layoffs, but I don't think there has to be. Well, I suppose I could try to repeal the law of gravity, but I don't think I can. All of us, there's plenty of blame to go around, we should all be ashamed at the way we have given up our rights to participate in the process. We should all be ashamed at what we're doing here tonight at the last minute. What have we done since March? Oh, trust me, everything will work out. And if you believe that, you come to my district, you talk to my social service providers, you talk to my people who need the help. You talk to people in my district that has an unemployment rate of almost 11 percent. And you tell me everything's fine.

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Well, everything isn't fine. If you're happy with the product, fine. I'm not happy with the process. We can do better and it's time to tell our Leaders we want to do better and we want to be more involved in the process and until each one of us do that, then you'll sit here, year after year on your overstuffed chair that cost a small fortune and you'll do what you're told. And that's not what we're here for."

Speaker Madigan: "The last speaker, Representative Nekritz. I'm sure you'll be brief."

Nekritz: "I think I'm known for that, Speaker. Will the Sponsor yield?"

Currie: "Yes."

Nekritz: "Thank you, Representative Currie. House Bill 2145 appropriated about \$3.85 billion for state operations. Can you tell me what's different in, for those same categories, in Senate Bill 1216?"

Currie: "Except for correcting the error that was discovered later, I think it's pretty much the same."

Nekritz: "Well, we received some information that there's full funding of the line of duty benefit in a lump-sum appropriations..."

Currie: "Yes, I said that in my opening remarks. There were some new things, you asked about 2145."

Nekritz: "Right."

Currie: "The new things in this Bill because we voted on Senate Bill 2145, I believe, on May 20, so this is not new stuff."

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The new things were the line of duty benefit, the settlement in the case challenging the constitutionality of the FamilyCare expansion, and a lump sum-appropriation to IDOT so they can actually do..."

Nekritz: "And how much is that lump-sum appropriation to IDOT?"

Currie: "Six point five million."

Nekritz: "And that's..."

Currie: "It's road fund money."

Nekritz: "Okay."

Currie: "And that is new, but most of the rest of what you see in this... in this Bill is either stuff that we've voted on in Senate Bill 2145 on May 20 or Senate Bill 1197, which I believe was toward the end of June."

Nekritz: "And... and has the General Assembly or any of the... any of the Constitutional Officers taken a cut to their... are they getting 86 percent of last year's budget?"

Currie: "I believe... I believe they are... they are level funded."

Nekritz: "From last year. So, we are..."

Currie: "Except that their distributive grants... right, exactly, are funded the same way all the other grants are funded in this budget."

Nekritz: "Right. I understand that, but those line items are not typically distributive grants, they are appropriations."

Currie: "Right."

Nekritz: "So, they're not taking a cut. All Right. Well, I'm... to the Bill."

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Currie: "All right. I'm sorry. Their operations are funded just the way state agencies are."

Nekritz: "Right. So, in the interest of shared sacrifice, if we're, you know, if we're asking the social service agencies and the Illinois grant programs to take... to take cuts, I think it would behoove us to look at every aspect of State Government that is... that is and I mean, I understand there are stimulus dollars that we can't touch. And there are things that we can't reduce, but there are other places that we can take a look at that and even though it may not be a lot of money, I think, its... it would demonstrate to our taxpaying public that we are trying to be fair and equitable in this. And make cuts across the board and find funds where we can to assist those distributive grant programs that... that in many ways take care of the most vulnerable in our society. Thank you."

Speaker Madigan: "Okay. Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. This is day 45 since the constitutional suggestion that we finish our work and go home. It's day 15 after the beginning of the state's fiscal year. Is there a lot not to like in this budget proposal? Absolutely. Some people think it doesn't cut deeply enough. There's no question that it cuts deeply and for some people maybe that isn't quite enough. Does it spend adequately for the most vulnerable, fragile clients of the State of Illinois? Many would argue that it does not. There's a lot not to like in any Bill

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that comes before us. But I am here to say that I think the only responsible thing to do today, July 15, 15 days after we have lost appropriation authority for our State Government is to vote 'yes' on Senate Bill 1216. It's easy to say no, but if we sit here for another day, for another week, for another month, the answers are going to be no different from what they are today, July 15. There was an opportunity before the end of May to vote for a tax increase so that our community-based providers could be adequately funded in this fiscal year so that there might not need to be layoffs of critical state workers. That measure failed. It got 42 votes when it needed 60. Today it needs 71. So, all of you can go home and say I voted against this Bill because it wasn't good enough, because it didn't cut enough, or it didn't fund well enough. But I would say that if you are a responsible Member of this Assembly, the responsible vote is a 'yes' vote because we have run out of options. State workers and community-based agencies have run out of time. It's easy to say no, but today at 6:40 on July 15, the only really grown-up answer is yes. Please join me in supporting Senate Bill 1216. Let's get State Government moving again."

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 90 people voting 'yes', 22 people voting 'no'.

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This Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1912. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1912 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Speaker. I would ask adoption of Floor Amendment #2 which becomes the Bill and then debate the Bill on Third Reading."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Madigan: "...Bill on Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 1912, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you Speaker, Ladies and Gentlemen of the House. Senate Bill 1912 is the budget implementation Act. And it has provisions in it which will put in force the previous two Bills that you voted on today. The Amendment became the Bill and it includes a provision of Senate Bill 2218,

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that was the previous 2010 'bimp' Bill, with some additions. And as of July 15, Senate Bill 2218 had been sent to the Governor, but not yet signed. The intent is to replace Senate Bill 2218 with Senate Bill... 12, House Amendment 2. It's all rolled together. Here are the changes and additions from that. The Bill allows \$1.1 billion in contingency reserve. This authorizes the Governor to set aside 1.1 billion in those reserves, which shall remain unexpended unless the additional revenues are provided by an Act of this Body, the General Assembly. Delegation of appropriation authority. This section specifies the Governor's Office has the ability to delegate the lump-sum appropriations that were in 1216, that we just voted on, to other state agencies. And this has been at a request of the Governor's Office. The next provision is emergency rulemaking authority. It increases the emergency rulemaking authority for agencies to implement the fiscal year '10 budget. This is the same authority that we did in the Emergency Budget Act of 1992. It's been given to other Governors and this allows them to implement the provisions of these budgets. The rules provide they will still have the JCAR review process. Emergency rulemaking authority we've covered. So, the next section are General Assembly furlough days. Members of the General Assembly will be required to take 12 furlough days in fiscal year '10. These days are including, not in addition to, the 4 days that we all authorized in Senate Bill 2090. The next

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section reverses Department of Natural Resource fund sweeps that were passed in 95-1000. The Federal Department of Interior was going to withhold \$10 million in federal funding unless these sweeps were reversed. The public accountably and performance system section comes next. That allows the state agencies to develop and implement a quality management and basically it's an audit system and performance system for their public services. The fiscal year '10 fund sweeps. It's another reversal and this is at the request of the Governor's Office for the Insurance Provider Administration Fund and Insurance Financial Regulatory Fund. These are the funds that allow them to have auditors and do their function. It is actually their operating funds. In addition to that, the public pension fund is reversed. That is a cost of about \$4 million. The provisions in Senate Bill 2218 that have already been passed by the Governor include a following list. I'll answer any of those questions, if you have them. Largest change being that the foundation level of general state aid to schools was increased from 5,959, which is the '09 level, to 6,190. That increase will be lowered to \$6,119 and it reflects what's known now as a foundation level. We will still capture all fiscal year or all of the federal stimulus money. Our original Bill, the Governor's introduced level, had the new money for education at \$231 this makes it \$160. I'll be happy to answer any questions."

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Speaker Madigan: "Mr. Eddy."

Eddy: "Thank you... thank you, Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Eddy: "Representative Mautino, I'm interested in, I guess, the practical application of the contingency reserve language. How... how will this work?"

Mautino: "We've done this under George Ryan, under Edgar, we've... and under Thompson, is where a lot of that came from. And basically, the Governor will instruct the agencies to withhold a certain amount of the money. For example, if we are going to do a 5 percent and you got a hundred dollars for travel, then the agency would say that you can only spend 95, readjust your budget."

Eddy: "So, in effect, the Governor has authority to tell any of the budget, agency budgets, you have to set aside or reserve this certain amount. And he can do up to 1.1 billion in this 'bimp'."

Mautino: "That's correct."

Eddy: "And are there some areas that are exempt from those restrictions?"

Mautino: "All education and under... all education, first of all, and Constitutional Officers. This would impact the agencies under the Governor."

Eddy: "Okay. So, ISBE, the Board of Higher Education, Secretary of State, the Attorney General, the Comptroller, they're exempt from this?"

Mautino: "They are exempt."

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Eddy: "Okay. So he can't apply that... that contingency reserve to them. Can you explain the emergency JCAR rules to those of us who... who under... is this necessary because of how quickly this is being implemented? What's the purpose and what's the practical application?"

Mautino: "Actually, you hit the reason right on the head. Some of these were into the fiscal year and some of these changes may have to take place immediately in order to manage the budget in a very difficult year. So, the Governor has been given a very broad range of powers, if he need... but he will still have JCAR oversight. They'll still have to come here. JCAR will be able to object to some of those changes."

Eddy: "And that emergency authority ends, right? I mean, there's an ending date in the Bill?"

Mautino: "End of the fiscal year."

Eddy: "Okay. But... so, this is the only time and if we're going to do this again, we'd have to reauthorize it in the future. This..."

Mautino: "Yes, any of these. These are extraordinary changes..."

Eddy: "Okay."

Mautino: "...because of the extraordinary situation we find ourselves in and it will end with the fiscal year. Need to be reauthorized next year should we need that power."

Eddy: "Okay. And on the furlough days for the General Assembly, I think that the change basically made it consistent with other state workers as to what a day would

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be. Instead of 365 days, all other workers' furlough are based on 261 days, I think and that's what this..."

Mautino: "Actually, it's 261 days that this will be based on. So, we are set equal to all state employees. And we're the only, you know, Body that's stepping forward doing this, voluntarily in addition to setting aside our COLA. I mean, it's a recognition that I think the Body has made at this time."

Eddy: "And it established 12 days instead of 4."

Mautino: "Correct."

Eddy: "It brings that level up to what's been suggested for state workers. So, it does both things: it adds the days and it also makes the percent of the amount the same as state workers."

Mautino: "Exactly."

Eddy: "Okay. Now, finally, and really the last questions I have, have to do with the... with the education portion. You mentioned that the foundation level would increase by \$160. Now that allowed actually the Governor to reduce another budget that he's going to... from our understanding, amendatorally reduce a line item by a little over \$100 million that... that will be freed up for general revenue?"

Mautino: "Correct."

Eddy: "Okay."

Mautino: "And as I am glad you brought that... it's important for Members to know that with the Federal Stimulus Act there was stabilization money and everything that we have that

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we've certified at the 2009 level we could have actually, and probably should have certified at 2006, but we certified at 2009. And so, of the rest of the budget stabilization money, which was not earmarked specifically for education, the Governor chose in his introduced budget to put \$232 million towards education. This will draw that down. So instead of having the extra dollars over and above, or \$232 per student, it'll now be \$160 per student, but it's an increase over the '09 level. And that frees up some money to be used to plug many of the holes that we are going to find over the next few months."

Eddy: "So, this works in concert with what we believe to be an agreement by the Governor, that he's going to simply reduce House Bill 2129, amendatorally reduce that and the savings then can be used in other parts of the budget. But this 'bimp' language allows that reduction. So, we're kind of working in concert with his request here."

Mautino: "Exactly and that... that will free up some dollars that can be used, hopefully in education areas but they may find other operations, educations. It frees up money in a tough year."

Eddy: "And that's up to the discretion of the Governor as has been mentioned before on other Bills here. That provides him with flexibility to use that money where his administration thinks it's best. Let's talk hold harmless for just a second, so that people understand how hold harmless is being approached in this Bill. There is no

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reduction in the hold harmless funding in the language of the 'bimp' Bill. Isn't that correct"

Mautino: "That's correct. That's controlled by the appropriation which, as you and I both know, is a grant level and funded at 50 percent. So our hope is we can use some of the other dollars."

Eddy: "But it can be increased if the Governor chooses to increase that 50 percent hold harmless funding by using some of the \$1.2 billion that we... we would make available in the bond authorization Bill. Or he could use some of the 100... little over \$100 million that he reduces the other part of the education budget to move over and fund hold harmless. This Body is not reducing the percentage of hold harmless."

Mautino: "That is correct. The Bill itself and in 1912 we're not reducing hold harmless, but the appropriation level is at 50 percent. It is a grant structure. We do have the ability, and I've approached Governor's Office at your request and others, that we try and fund that with parity to the others using some of the dollars. We're all going to have to compete for dollars within our areas where we see the most need. But you bring up a very important point of the Bill, this is working in concert with the Governor's Office and giving him flexibility."

Eddy: "One final question, on page 4, section 3.1, the Public Accountability in Performance Systems Act portion. What...

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what is that? What's the intention of that? That looks...
Is that new?"

Mautino: "The accountability section was at the request from the Senate and it is permissive. It is tied to budget savings and so the accountability... they would be able to review and assess each agency and those budgets to look for savings and improvements."

Eddy: "Okay. I mean it just simply says that the Legislature finds that the state agencies must continuously improve accountability and performance, reporting concerning public programs and they must improve their management of public programs. It all sounds very good. What happens if they don't? And who's going to make the determination?"

Mautino: "Those are the guidelines if they chose to participate. We would also, through our appropriations process, still have the ability to evaluate those and isn't... their performance. And there are a number of task force that are bipartisan here looking at Medicaid and all those other areas. It's a... it's a provision that's set in to allow for self audit, determination, and savings."

Eddy: "So... so basically, that's stating an intention of the General Assembly for these task forces and other... that's our intention. And we'll... we'll expect them to live up to that standard."

Mautino: "Yes."

Eddy: "Okay. Ladies and Gentlemen of the House, again, we're in a situation where several people are concerned about

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getting their next paycheck. And it's been said many times today on this House Floor, but I think it bears repeating, that nobody really likes to vote for implementation Bills or budget Bills that don't provide everything that everyone wants. But it's necessary today that this Body pass this implementation Bill, so that the budget and the appropriations that were passed earlier along with the intention of the bond proceeds, will allow the state to at least do what it needs to do to keep paychecks coming and to keep services at the best level we can for our most vulnerable citizens without a revenue increase. And I don't know about some of you, I'm getting sick and tired of listening to people on this House Floor stand up and talk about what's wrong with what we're trying to do, when they're not willing to take a tough vote on revenue and they're not willing to come forward with a specific list of what they will cut. But they have time to stand up and talk about how... what everybody else is agreeing to do and take a tough vote so we can move forward and make paychecks. They take time to do that, but they don't come forward with specifics as to what they'll support. Unless you're willing to come forward, file a Bill, tell people who you're going to cut, and what you're going to cut, you ought to be supportive of what everybody knows needs to be done today. And vote 'yes' on this Bill."

Speaker Madigan: "Mr. Moffitt."

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

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Speaker Madigan: "Sponsor yields."

Moffitt: "Representative, you mentioned that this exempted some of the sweeps that had been done earlier. Is that correct?"

Mautino: "Excuse me, Don, I couldn't hear you over the... over the crowd."

Moffitt: "You mentioned that this would exempt some of the sweeps that had been included. I think it was in Senate Bill 14..."

Mautino: "Yes. That would be the... there's two sets of them. DNR had found... just as we'd talked about the... just as we had talked about earlier some of the protections put in that Bill said if you... if you lose federal dollars or if the fund depletes itself, there's a provision. The feds found that the DNR had \$10 million worth of cost implication. We're taking that out as long as we're doing the Bill. And the other two funds were at the request of the Governor's Office because they are the operating funds of the Department of Insurance, the Professional Regulation agency and those funds were unsweepable as well."

Moffitt: "Okay. At the time that we had the discussion, the debate on Senate Bill 1433, the original sweeps Bill, you and I talked about the fact that for the first time we were sweeping the Fire Prevention Fund. Do you remember that, Representative? Do you remember the discussion we had that that original sweeps Bill, for the first time, took money from the Fire Prevention Fund?"

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Mautino: "Any surplus dollars from that fund, just as with the other funds, and should that fund run short in the course of the year, there's a provision to put it back, yes."

Moffitt: "Okay. It was 10.4 million that was swept and at that time you and I had some dialogue about working together to try to get that exempt. I trust the Fire Prevention Fund was not exempt by this Bill."

Mautino: "That's true."

Moffitt: "I have filed a Bill, 4589, dealing with the sweep to exempt it. I have been watching the status of that Bill and it's still in Rules, but I'm sure looking forward to working with you to continue to try to get that exempt. I would also point out, you... you know, it was referred to as surplus. Just so everyone knows there were more applications for fire truck loans than what there was money to loan. In other words, it's already in a deficient situation. I think it should have been exempt here. And just so that everyone's aware, by sweeping that 10.4 million that you and I had talked about trying to get back in, and I know you'll continue to work with me, that 10.4 million would have loaned money for 42 more fire trucks around the state or 104 more ambulances or 5 new fire stations. By sweeping that fund and again, it's in a deficit situation, we're taking money and preventing this improvement that could have occurred. So, all I am saying is, I know your word's good. I look forward to continuing to work with you so that raids will not be made on the Fire

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Prevention Fund. I was hoping it would be in here, it's not. So, look forward to working with you to try and make that happen in the future and to close that deficit that is there now. Thank you."

Speaker Madigan: "Mr. Will Davis. Will Davis."

Davis, W.: "Thank for your patience, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Davis, W.: "I'm reading the information, Representative, that was provided to us regarding Senate Bill 1912 and it talks about 12 furlough days."

Mautino: "Yes, Sir."

Davis, W.: "It was mentioned earlier that that's done in accordance with what other state agencies are being asked to do. So, when we talked yesterday in our caucus, it was mentioned that that's going to be put on the table and possibly negotiated with the unions as it relates to furlough days, which means that it may not actually be 12. Is that correct?"

Mautino: "That was the discussion as of yesterday. When the Leaders met, the decision was to put for the General Assembly a number certain, which would be 12 into our system and... and so the Bill, as it's written, has the 8 additional days for a maximum of 12 furlough days that we will take. And they're calculated on the same basis as all state employees. So, that will actually be going into effect and it doesn't hinge on the union reopening their

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contract. I believe the Governor's... is working on negotiating that with them."

Davis, W.: "Okay. And if the General Assembly takes these 12 furlough days, how much will that actually save? What is the cost associated with those 12 days?"

Mautino: "It's... well, if you look at the salary lines on there, because it affects both stipend and base pay, you're looking at about 5 percent. So it's about a 5 percent cut."

Davis, W.: "Five percent, I mean so..."

Mautino: "On your salary, 5 percent."

Davis, W.: "So, for me, it would be 5 percent, is that what you mean?"

Mautino: "Yes. For... that's the easiest way to look at it because there are some varying salary levels whether you have a stipend or not. On there, if you're a chairman, you have a stipend. If it's there, both are impacted but the overall impact using the state... the same thing the state employees would have is about four and a half percent."

Davis, W.: "And... well, I'm just trying to get an idea of what this number is and this impacts cost of living as well. I mean, so, it's just salary or what we make. I mean, just help me to understand it, that's all."

Mautino: "It's, it's salary and stipend so..."

Davis, W.: "Salary and stipend."

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Mautino: "It has, it has no... I mean, those are the expenses that are impacted by it, salary and per diem. And that would be about four and a half to five percent."

Davis, W.: "Okay. I don't want to belabor that too much."

Mautino: "A day a month."

Davis, W.: On page 14, as I am reading the text, it says in Section 17, exempt from the Act and it lists a number of Constitutional Officers. What does that mean?"

Mautino: "Okay. On page 14 there is an exempt... exempted entities, from the CMS data security provision. And that exempts... It's a different section within it. This does not have the... that does not apply itself to the furlough days."

Davis, W.: "Well, I wasn't necessarily suggesting that it applied to fur... I was just curious to see when you're exempting something. I just wanted to make sure I understood what that meant, that's all."

Mautino: "Okay. That's... that specific section is a cost savings measure. It will reduce the amount of money those agencies have to pay to clean computers."

Davis, W.: "Okay."

Mautino: "They can do it in-house instead of contracting it out."

Davis, W.: "Okay. Thank you very much, Representative. And it was talked a little earlier and this is my last point about the increases in foundation level and as I had said that the foundation level as a result of this will be \$6,119 and

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that that level is being reached because that's where it needs to be to capture stimulus money. Is that correct?"

Mautino: "The... actually, we'll be going higher than the 2009 level by \$160 per student. We certified at 2009 levels and then when the Governor put his budget together he asked for \$231 of additional new money per student. And that was money that we had some flexibility with under the Federal ARA Reinvestment Act. He drove all of that into the education line. So we're going to give them actually instead of \$231 per student, we're going to give them \$160 per student. That equates to about \$174 million that can be used in other areas of the budget in a very bad year. So, they'll get 2009 levels, last year's levels, plus \$161 per student in the foundation level."

Davis, W.: "Okay. But the way you say it makes it seem like that... this 161 is kind of like a... an additional grant that's not permanent, but once the foundation level is raised it stays..."

Mautino: "Correct."

Davis, W.: "...it stays there and does not go back down in subsequent years. Correct?"

Mautino: "Correct. Yeah, we set it every year by statute, so we can, in a normal year, we can set it up higher, we can reduce it. I've seen years here where we've increased the foundation level by \$500 per student and years where we've done, many years where we did \$100 per student, because that was what was affordable within our appropriation."

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Davis, W.: "Okay. Well, I'm just making sure, 'cause just the way you worded it made it sound like that \$116, obviously it'll be added for FY10, but it could go away in subsequent years but once it's there, it will remain there."

Mautino: "It's... it's a function of what our spendable approp is. The amount of money that we have, we come in and we set up every year and decide how much money is going to be spent there. So we have that ability to raise or lower that level every year that we do the budget."

Davis, D.: "Okay. I thank..."

Mautino: "I have yet to see it be lowered."

Davis, W.: "Thank you very much."

Speaker Madigan: "The last speaker will be Mr. Watson."

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

Speaker Madigan: "Sponsor yields."

Watson: "Thank you, Representative. It seems like the legislative intent of the Bill regarding the set-asides is that the Governor will not be permitted to set aside funds if it pertains to education. Is that correct?"

Mautino: "Oh, the contingency reserves, you're talking about the \$1.1 billion. Correct."

Watson: "Correct."

Mautino: "Education will be out of that. The agencies not under the Governor are out of that, but he will have..."

Watson: "Okay. And there are two schools, the Illinois School for the Deaf and the Illinois School for the Visually Impaired, which are education facilities, but they happen

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to fall under DRS. So my question is, and I think I understand the spirit of this Body, but the way this is written it will not... the contingency reserves will still apply to those schools."

Mautino: "DRS is a division of DHS in their operations. So, they're funded at... at the Governor's introduced level."

Davis, W.: "But... but the contingency reserves are still applicable to those schools?"

Mautino: "Yes, it would."

Davis, W.: "Is there anything or anyway that we could circumvent that so that the schools are treated like schools and not just an agency, so to speak?"

Mautino: "They're part of DHS. Now they would have the ability as Representative Eddy and I had talked about to try and drive up or get to parity on those numbers because of the \$1.2 billion the Governor will have discretion of. For the grant sides and also probably for the 2.3 billion which was set aside for providers. We did give him latitude within the Bill to determine who was a provider of community service."

Davis, W.: "Okay. So, he does not... he has the ability to ask for the reserve but he could look at those schools and say I'm not going to make those schools apply this reserve."

Mautino: "That's true, correct"

Davis, W.: "All right. Thank you and I hope that's exactly what the Governor does. Thank you, Frank."

Mautino: "Thanks, Representative."

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Speaker Madigan: "Mr. Mautino to close."

Mautino: "Thank you, Speaker, Ladies and Gentleman of the House. You've heard the legislation. This is the Budget Implementation Act, which will allow for the implementation of the Bills we voted on today and to get us started in the direction that we need to go for the state. Getting people paid, getting... meeting our obligations. And I would ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. 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 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Mr. Mautino in the Chair."

Speaker Mautino: "Mr. Clerk, the adjourn... for the Adjournment Resolution."

Clerk Mahoney: "House Joint Resolution 1, offered by Representative Currie be it;

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE SECOND SPECIAL SESSION THEREOF, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn, the House of Representatives stands adjourned until the call of the Speaker; and the Senate stands adjourned until the call of the President."

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Speaker Mautino: "Representative Currie now moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. And the Motion is adopted. The Chair at this time would ask that Members be in their seat and staff retire to the rear of the chamber. I'd like to call on the Gentleman from Cook, Leader Miller for a Death Resolution."

Miller: "Thank you, Mr. Speaker."

Speaker Mautino: "A point of personal privilege."

Miller: "Ladies and Gentleman of the House. This is the third time I have had to do this and I will mention a former soldiers' name, which is Brandon Ramsey from Calumet City and Philip Martini from Lansing. On July 6, 2009, on a morning after a roadside bomb had killed 1st Lieutenant Derwin Williams. He was 41 years old, and he was riding with him.. three other soldiers were with him. He was one of the officers in the Marcellus-based unit of the 33 Infantry Brigade Combat Team. He was riding in the last vehicle through Kabul through a province in Kabul. He was due back with his Illinois Army National Guard Unit in August and was already training the troops who would replace him. Thirty-two members of the Illinois Guard have been killed since the U.S. had went to war in Iraq and Afghanistan. Our former colleague, Tom Dart, Sheriff Dart, said of him, he worked in the sheriff's office, 'Although Derwin Williams was the officer.. was a sheriff's officer for a short time, his kindness and soft-spoken manner had a great

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impact on everyone here. He will be greatly missed and the thoughts and prayers of the entire sheriff office goes out to his family.' He leaves behind his wife Felicia and he had three daughters. You know this day has been long and very contentious. Representative Riley had talked about one soldier being killed on the streets of Harvey. And Derwin Williams has given the ultimate sacrifice and I want to ask for this Body to honor him and give him a moment of silence. Thank you, Mr. Speaker."

Speaker Mautino: "Ladies and Gentleman of the House, for our process we aren't going forward right now. The House will be at ease. We need to await action from the Senate. And that is our intent right now. And the intent is to adjourn later this evening. Until The adjournment, later this evening, will be until the Veto Session. Leader Stephens."

Stephens: "Well, Mr. Speaker, I know you're new to Leadership and being in the Chair, but there's a time-honored tradition here that on the actual final night that who ever happens to be the Chair buys pizza and beer."

Speaker Mautino: "You know I've been studying the rule book since... I haven't seen that one yet, but I will have to get back... I'll take that under advisement. The Gentleman from Vermilion, Minority Leader... Assistant Minority Leader Black."

Black: "I answer to most anything, Mr. Speaker and thank you very much. Just to echo what Representative Stephens said and you, of course, get a discount on those beverages and

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it was my understanding when we met with Governor Quinn, I think it was last Thursday, the downstaters, I think we met in a phone booth. But anyway, he said there would be a end of Session party and he was looking forward to that. And does that mean tonight? Evidently not. I know it's hard to think when you've got the sun in your face, but..."

Speaker Mautino: "You know, I haven't... I haven't received that message from the Governor yet."

Black: "I see."

Speaker Mautino: "But I do look forward to end of Session whether it be now or shortly in the future."

Black: "You know, I can't help but notice that you look off to your left every once in a while to the chief of staff."

Speaker Mautino: "She's here advising me on my responses to the Gentleman from Vermilion, yes."

Black: "I... perhaps he could put his arm up the back of your coat and we could have the old ventriloquist act. Do you have any..."

Speaker Mautino: "I have another assistant."

Black: "I see. Do you have any idea how long we'll be at ease? I mean, I've had lunch seven hours ago. I'd like to go out and have dinner, or at least order in a pizza or something. But what... what's the plan? I mean, are we here until 8:30, 9:30, 10? I mean, I know you don't know, because it's contingent on the Senate."

Speaker Mautino: "Well, with respect to your institutional knowledge and the many nights..."

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Black: "Yes."

Speaker Mautino: "...that we've seen here 'til 2:00 in the morning."

Black: "Oh."

Mautino: "We don't know what time those actions could be taken, but I think it's important that we leave the House at ease until they take their actions, so we can be certain that we will be able to adjourn."

Black: "All the more reason for pizza."

Speaker Mautino: "Actually, the Senate has convened and we're going to put that on the speakers right now, but they're starting to take actions on the Bill. So hopefully, that will move along quickly."

Black: "The Senate actually convened? Well... Okay."

Speaker Mautino: "As you can hear."

Black: "So, we'll... we'll just have to wait and see, I guess. Thank you."

Speaker Mautino: "Thank you, Leader Black. Special Session will now come to order. Representative Currie moves that Special Session stand adjourned to the call of the Speaker. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. The regular Session will now come to order."