

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

144th Legislative Day

May 20, 1992

Speaker Keane: "Our guests in the gallery may wish to rise. Our Chaplain for today is Pastor Claude Shelby, Sr., of the Salem Baptist Church in Champaign, Illinois. Pastor Shelby is the guest of Representative Johnson."

Pastor Claude Shelby, Sr.: "Let us pray. We thank You, oh God, for the world in which we live, our nation and our beautiful Land of Lincoln. Thou knowest the difficulties which this Body faces and the grave decisions which must be made. Give to our leaders faith in our way of life so that they may have a deep desire to do what is the good and for the good of all. In their willingness to make personal sacrifices, let no personal ambition blind them to their opportunities for good. We ask Thee to lead us in the paths which Thou would have us walk, to do the tasks which Thou has laid before us. May happiness be sought for all of our citizens in the name of Him who created us all equal in His sight and, therefore, brothers and sisters, Amen."

Speaker Keane: "We will be led in the Pledge of Allegiance by Representative Hartke."

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

Speaker Keane: "Roll Call for Attendance. One hundred-eighteen answering the roll call, a quorum is present."

Clerk O'Brien: "Committee Report. 'The Committee on Rules has met, and pursuant to Rule 29(c)3, the following Bills have been ruled exempt on May 20, 1992: Senate Bills #1499, 1508, 1516, 1519, 1536, 1548, 1565, 1604, 1606, 1624, 1628, 1629, 1635, 1641, 1643, 1648, 1650, 1677, 1679, 1688, 1693, 1740, 1763, 1764, 1770, 1776, 1806, 1808, 1823, 1825, 1828, 1831, 1832, 1861, 1898, 1901, 1902, 1903 and 1910. Signed

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John Matijevich, Chairman'."

Speaker Keane: "We will go to the Consent Calendar, Third Reading. Mr. Clerk, read the Bills."

Clerk O'Brien: "Consent Calendar, Third Reading, Second Day. House Bill 3607, a Bill for the Act to amend the Code of Criminal Procedure of 1963. Third reading of the Bill."

Speaker Keane: "The question is, 'Shall these Bills on the Consent Calendar pass?' Hold one. The question is, 'Shall these Bills on the Consent Calendar pass?' All those in favor.... The Calendar is incorrect. It indicates First Day, it is actually Second Day. All those in favor vote 'aye'. All those opposed vote 'no'. The voting is open. All voted who wish? Mr. Clerk, take the record. On these Bills there are 118 voting 'aye', none voting 'no', none voting 'present', and these Bills, having received the required Constitutional Majority, are hereby declared passed. We will now go to the Order of Third Reading, Consumer Protection. There are two Bills on that Order of Reading, Representative Davis and Representative Obrzut. On House Bill 4058, Representative Davis, out of the record. House Bill 4132, Representative Obrzut, out of the record. On the Order of Economic Development...By the way, Ladies and Gentlemen, it's Wednesday, the deadline is Friday. We're going to be doing some Appropriation Bills so you may...if you pass by your Bill, you may want to kiss her good-bye. We may never make it back to it, so have a fond farewell. Economic Development. Order of Third Reading. Morrow has a Bill. Wyvetter Younger has a Bill and McPike has a Bill. Representative Morrow, do you wish to call House Bill 1876? Good-bye. Wyvetter Younger, out of the record and McPike, out of the record. On the Order of Banking, Third Reading, appears House Bill 3437,

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Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3437, a Bill for an Act to amend the Deposit of State's Moneys Act. Third Reading of the Bill."

Speaker Keane: "Representative Flinn."

Flinn: "Just a minute, Mr. Speaker. Let me get organized here. Mr. Speaker, let me speak off the cuff. What this Bill is designed to do is to cut the limit from \$30 million down to \$10 million, and what it offers is a small bank the opportunity to be considered...the money that the state puts in the banks and loans out for certain issues. I'll try to answer any questions."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? All voted a wish. Mr. Clerk, read the...take the record. Hold on for a second, Mr. Clerk. There are 108 voting 'aye'. Take the record; 111 voting 'aye', none voting 'no'. Let's do 112 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3439, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3439, a Bill for the Act to amend the Illinois Banking Act. Third Reading of the Bill."

Speaker Keane: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill would allow bank directors that are not part of holding companies to utilize the same statutes to create a parity with...in the Banking Act for these...directors, and I know of no opposition to the Bill. It was simply a parity Bill with the banks that are not part of holding companies. I want to ask for the adoption

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of House Bill 3439."

Speaker Keane: "Representative Black."

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

Brunsvold: "Yes."

Black: "There seems to be some confusion in our files that, in effect, this is a vehicle Bill. Are we incorrect in our assumption?"

Brunsvold: "No, it's not a vehicle Bill. There is an addition on the Section No. 9 is added and the directors of banks and non-holding companies situations would like to have the same option that the other directors have, and it is simply an addition. It's not a vehicle."

Black: "So, that...The Bill is intended to do exactly what is written, right?"

Brunsvold: "Exactly, it's a parity Bill; that's all it does"

Black: "Okay, right, thank you very much."

Speaker Keane: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 voting 'aye', none voting 'no', 1 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3569, Representative Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3569, a Bill for an Act to amend the Public Officer Prohibited Activities Act. Third Reading of the Bill."

Speaker Keane: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 3569 simply adds university officials to the list of exemptions under the Public Officer Prohibited Activities Act. I'd be glad to

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answer any questions and move for its adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed, 'no'. Voting is open. Have all voted who wish? All have voted who wish? Mr. Clerk, take the record. On this Bill there are 117 voting 'aye', none voting 'no', 1 voting 'present' and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Kulas, for what purpose do you rise?"

Kulas: "Yes, thank you, Mr. Speaker. On a point of order, which list are you working off, yesterday's list? I mean, I like to be prepared so I know where we're going, and I have not gotten a list today. Are you working off of yesterday's list?"

Speaker Keane: "If you look on the upper right corner of your list and you see '92/05/19'..."

Kulas: "That's from yesterday?"

Speaker Keane: "Yes."

Kulas: "Thank you."

Speaker Keane: "House Bill 3711. Representative Williams. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3711, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

Speaker Keane: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. House Bill 3711 amends the Illinois Banking Act and provides that a state bank may acquire national banks that are in default or in danger of default. What the Bill does is to correct an oversight that they did when they passed the Public Act 86-9-52 which brought Illinois into conformity with the provisions of the Federal Trust

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Legislation to address the Savings Loan crisis, but they didn't allow Illinois banks to acquire national banks, and this just bring us allow Illinois banks be on the same footing with national banks supported by the Illinois Bankers Association and I don't believe there's any opposition to the Bill."

Speaker Keane: "Is there any discussion? Being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? On this Bill, there are 116 voting 'aye', none voting 'no', 1 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. We've just got to go back to clean up one. It was Representative Flinn's Bill. We had a problem with the printer so we're going to take that roll call again. On House Bill 30...House Bill 3437. Mr...we voted on this before; we're going to vote on it again just to get the machine right. All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Black, for what purpose do you rise?"

Black: "Thank you very much, Mr. Speaker. It was a little hard to hear you. We've already voted on this Bill. Did you say there was an equipment malfunction?"

Speaker Keane: "That's correct. We're just voting on it to get the computer printout correctly."

Black: "All right. Thank you."

Speaker Keane: "Okay. On this Bill, there are 116 voting 'aye', none voting 'no', 1 voting 'present' and this Bill, having received the required Constitutional Majority, is hereby

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declared passed. Is Representative Hicks in the chambers? We will then go to Higher Education on Third Reading. There are three Sponsors on that Reading: McGann, Edley and Granberg. On House Bill 2485, Representative McGann. Out of the record. On House Bill 3197, Representative Edley. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3197, a Bill for an Act relating to governing boards of Illinois institutions of higher learning. Third Reading of the Bill."

Speaker Keane: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This a shell Bill that we're going to be using in conjunction with the Speaker's Task Force on Higher Education, and it's waiting recommendation from the Governor's Task Force. I ask for passage."

Speaker Keane: "On that, Representative Black."

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

Speaker Keane: "Yes."

Black: "Representative, is this the only vehicle Bill that would be available for any necessary action in higher education?"

Edley: "I have gone through all the Bills. I really don't know."

Black: "So, at this point, you're not able to tell us exactly what this Bill would be used for, correct?"

Edley: "I can't really tell until we hear from the Governor's Task Force and their recommendations until our...task force meets."

Black: "All right. Did you also say there was a concurrent task force operating, the Governor's Task Force?"

Edley: "The Governor's Task Force was just formed. Supposedly, they are required to report by June 1st."

Black: "I thought you said there's was also a Speaker's Task

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Force."

Edley: "There's a Speaker's Task Force, as well."

Black: "All right. Thank you very much."

Speaker Keane: "Representative Ropp."

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

Edley: "I will."

Speaker Keane: "Yes."

Ropp: "I'm a little bit intrigued with this particular proposal because we have the Speaker's Task Force and we have the Governor's Task Force. Which one of those task force proposals do you think will end up being amended to this Bill?"

Edley: "I really would hesitate to speculate. We formed our task force last fall and then the Governor in his budget address formed his task force and I would assume it would be some kind of a compromise."

Ropp: "Are there any members of the Speaker's Task Force on the Governor's Task Force?"

Edley: "Not that I know of. No, I don't think so. I don't think there's any Members on that task force."

Ropp: "Is there any plan to merge not only those two but the one that the Republicans have also had dealing with the same subject matter; at some point in time will the three groups get together?"

Edley: "I don't know that the Republicans have an official task force on it. I know that the Governor...or the Lieutenant Governor's Office has been in contact with me, getting transcripts of the hearings that we held in February and March, so they're planning to review the work that we've been doing."

Ropp: "Well, we've been using this...I mean, there're...e've had at least three or four hearings on this side of the aisle,

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and I hope before anything just jumps off into the creek that...there is some attempt to merge the good ideas of all groups before we...just move ahead on this. Thank you."

Speaker Weaver: "Representative Weaver."

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

Edley: "Little curious about the time line of all these task forces and your Bill here. The Speaker's Task Force on Higher Education...when where they going to come up with a recommendation for this Bill?"

Weaver: "Well, we had not set a time line on it, simply because we aren't in control of all the...the groups that are...are wanting to review this. As...as you know, the BAG has a productivity initiative that they're involved with as well. I would hope that we could come up with something in June, but so much of that will depend upon other groups, other task forces, other boards."

Edley: "But this...is...is not this Bill designed to be used by the Speaker's Task Force?"

Weaver: "I couldn't hear you."

Edley: "Isn't this Bill designed to be used by the Speaker's Task Force?"

Weaver: "It's...it's designed to be used in conjunction with the recommendations from the Speaker's Task Force."

Edley: "But you don't know when they're going to come up with a recommendation?"

Weaver: "I can't because I don't have control over...over the Governor's Task Force and I think we owe to him to wait and see what his recommendations are."

Edley: "Who's the Chairman of the Speaker's Task Force?"

Weaver: "I'm the Chairman of it."

Edley: "Okay. Mr. Speaker, to the Bill. Ladies and Gentlemen of

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the House, what we've got here is a vehicle Bill and by the Chairman of the Task Force's own admission, they have absolutely no idea when they're going to come up with any recommendations. As far as we know, the Governor's Task Force on Higher Education has not asked to use this Bill as a vehicle, but the Speaker's Task Force, which has absolutely no idea when they're going to produce results, wants to use it. So what we're going to have is an empty shell Bill floating around the House or the Senate for God knows how long without any idea where we're headed and without any conclusion to it. I think it's a bad policy to have this thing floating either in the House or the Senate without any conclusionary date as to what's going to be done or when it's going to be accomplished, and I think it's bad policy for us to pass it on like it. I think at the very worst, a 'present' vote is what is needed on this Bill."

Speaker Keane: "Representative Edley, to close."

Edley: "Yes, well, I'm simply trying to move the Bill through the process. I'm trying to make an accommodation for the Governor. We could of came up with a recommendation and ran it through this committee process, but I thought because of the Governor's interest in coming up with this proposal on this question that we ought to wait and hear what he has to say. So I would think that we would want to move...the Bill along and await the Governor's...recommendation."

Speaker Keane: "Question is, 'Shall this Bill pass?' All if favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 70 voting 'aye', 45 voting 'no', 2

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voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3252, Representative Granberg. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3252, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Keane: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3252...was introduced at the request of the Intergovernmental Cooperation Commission and will provide that the State Board of Higher Education administer donated federal funds in marked for international internship opportunities for college and university students and to adopt rules to implement the International Internship Program. It's a means to capture federal funds, and the State Board of Higher Education would administer the program. There is no cost to the states and I would appreciate your support."

Speaker Keane: "Representative Ropp."

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

Speaker Keane: "Yes, he will."

Ropp: "I think this is a worthy program. The question is...the State Board will administer...Will high schools or universities submit applications for those recipients?"

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

Ropp: "Okay. To be a participant in the program, is it run through high schools or universities, and does everyone have an equal opportunity to be one of the internists?"

Granberg: "Representative Ropp, my understanding...the State Board of Higher Education would administer these...that program and promulgate the rules for those internships. So I would assume they would do in a fair manner."

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Ropp: "Okay. So, actually then it's the high school program for every person that would be in high school?"

Granberg: "No this a higher ed. This is college."

Ropp: "Okay. So then it's administered by the Board of Higher Ed and not the State Board?"

Granberg: "It's the Board of Higher Education."

Ropp: "So it would be a university program."

Granberg: "Right. Correct."

Ropp: "Which students would be eligible to submit applications in order to...meet their guidelines and then participate in the program."

Granberg: "Right. The Bill specifies...this would include overseas study to students studying foreign languages, international studies or international business at any public or private college or university located in this state."

Ropp: "Do we have any indication as to how many dollars we're talking about?"

Granberg: "No, Representative, I don't."

Ropp: "So, it's a federal program to which we don't know how many dollars we may get, but if those dollars ever become available, why we want to be ready to participate."

Granberg: "It would not only allow us to capture federal dollars, but it would allow us and the Board of Higher Education to capture private donations. It would give them the authority then to administer this International Internship Program. It would set forth the means to do that."

Ropp: "Okay, to the Bill: I think this is a good Bill. As the world becomes smaller as we compete for not only international trade and international business, it's always good to understand what our foreigners are talking about, and certainly this is an opportunity to become educated in

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foreign lands, and I suppose there may be some reciprocal kind of agreements with this and urge your support."

Speaker Keane: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the required Constitutional...Johnson, 'aye'. This Bill, having received the Constitutional Majority, is hereby declared passed. We will now go to the Order of Housing on Third Reading. On that Order is House Bill 2903. Representative Satterthwaite. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2903, a Bill for an Act to amend the Housing Authorities Act. Third Reading of the Bill."

Speaker Keane: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. House Bill 2903 is a Bill that would provide a mechanism for tenants to be placed on the board that governs housing authorities. The language that we have provided also provides a mechanism for identifying appropriate kinds of resident council organizations that will submit names to the appointing authority as recommended tenant members to be placed on the board. We have worked long and hard with this to try to get something as acceptable as possible to the various parties concerned. I should mention that, in fact, it is a concept that is approved by...Secretary Kemp and it is consistent with the thrust of HUD to try to get tenant membership on the housing authority boards. I'd be happy to respond to any questions that might be in the minds of Members and otherwise recommend adoption...recommend passage of the Bill."

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Speaker Keane: "Representative Wennlund."

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

Speaker Keane: "Yes, she will."

Wennlund: "Is...is this Bill still opposed by the Illinois Housing Authorities' Association?"

Satterthwaite: "I'm sorry, I cannot hear you."

Wennlund: "Is the Bill still opposed by the Illinois Housing Authorities' Association or did the Amendments remove their opposition?"

Satterthwaite: "To my knowledge, they have not removed their opposition, although we have worked with the statewide organization and some of the individual directors in order to provide the language that was adopted by Amendment. That language does clarify which tenant organizations would qualify to make these appointments. It makes some changes in quorums so that there's no possibility that the tenants could have a majority of the quorum, et cetera. So, while I cannot say that the authority has...the authority association has changed its position, we have worked with them to try to make it a workable Bill."

Wennlund: "Was there a meeting this morning of interested parties concerning this Bill?"

Satterthwaite: "There was a meeting this morning with the...people from Legal Assistance Foundation and myself and some of the downstate Democrats, and the agreement that we reached was that if the Bill is in an active stage in the Senate, we would address the problem that might occur if there is already a voting tenant member on the authority. So that our agreement this morning was, that if that's the case (and it's only the case in a very small number of the authorities across the State), but if it is the case that there is already a voting member who is a

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tenant, then that tenant member would be given the four year appointment and an additional member would be appointed to the five-year term; that way we would assure that there would not be...we would not be packing the board, so to speak, with tenants."

Wennlund: "Okay. So, if there is still a problem, it's your intention to work it out over in the Senate?"

Satterthwaite: "Right. You know, we don't have the exact language yet, but we promise that we will deal with that in the Senate."

Wennlund: "Thank you very much."

Speaker Keane: "Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Keane: "Yes, she will."

Hartke: "Representative, how many members now, under your proposal, will there be on the board?"

Satterthwaite: "There would be seven members."

Hartke: "Seven. And how many possible..."

Satterthwaite: "Well, it depends. There are different levels of membership. This would add two members to whatever the current number is."

Hartke: "So, if the board now has seven, they'd have nine? If it had five, it would have seven?"

Satterthwaite: "Right."

Hartke: "And how many max members, tenants would be on the committee...on the board?"

Satterthwaite: "Well, there would still not be a maximum because the appointing authority has the ability to appoint tenant members now."

Hartke: "Yes."

Satterthwaite: "What we are saying is that there would be two tenant members appointed to these two new seats by the

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mechanism provided in the Bill, where recognized tenant councils or organizations make recommendations to the appointing authority and then names are selected from that. Now, in the case, as I was indicating to Representative Wennlund, we intend to address the problem in the Senate in the case where there may currently be a voting tenant member. And we would put that voting tenant member into one of these new slots and add one additional tenant. So this Bill, really, would assure that there would be two tenant members in those areas where there is a recognized tenant organization. It does not, however, prohibit the appointing authority from appointing additional tenant members to the regular seats if they choose."

Hartke: "Okay, so if the board now is five and expanded to seven, a quorum would be four. This ensures at least two?"

Satterthwaite: "No. We...we also address the quorum issue and raise that so that the quorum would be five if there is a nine member...board of commissioners. And six if there..."

Hartke: "No. No. No. In a seven member board, though, it would only be four. In a seven member board...A board now that's five would be raised by two, a quorum would be four. And you're saying that two members, at least, would be tenants who could constitute half of a possible board meeting."

Satterthwaite: "No. We have addressed the quorum issue by increasing the number that would be necessary, and so it would mean that there would have to be the five members to constitute a quorum, once these appointments were made."

Hartke: "Five would be the quorum on a seven member board. Would then seven or six be the quorum on a nine member board?"

Satterthwaite: "Would you..."

Hartke: "If six were on a nine members board..."

Satterthwaite: "We're having trouble hearing. Could you repeat

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the question?"

Hartke: "Well, to the Bill. I don't know. I'm really not sure if I'm for this or against this, but I don't see a need for a change and so I guess I'm really confused on the issue, and I'm not sure I can support it."

Speaker Keane: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker. May I ask a couple of questions?"

Speaker Keane: "Yes."

Woolard: "Representative Satterthwaite, just for the clarification of this, we did have a meeting this morning, and there were some concerns by some people. One of the things that has been pledged that, if we can be successful in passing the Bill today, we will address the issue of having a no-mandate of more than two people on the board at any time, as far as a mandate is concerned. Is that right?"

Satterthwaite: "That's right."

Woolard: "Okay. We also have a commitment from the Sponsor to work with the Sponsor in the Senate that we will address this Bill exactly as we have proposed here and if this can be accommodated, I think most of the concerns of those people in the Body will be addressed. So I am standing in support of this piece of legislation with the intent to be cleaned up on this one issue in the Senate. Thank you."

Speaker Keane: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support House Bill 2903. All House Bill 2903 is trying to achieve is to give tenants who live in public housing the chance, the opportunity, to have some say-so and control over how they live in a public housing project. That's all 2903 does. People are concerned about

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the number of members that are gonna be tenants on this board. Now, unless my math is incorrect, two members are never going to be able to out-vote five members, seven members, or how many members there are on this board. So, the concern of whether you're going to have two members that are tenants going to be serving on the board is a moot issue. What the real issue of House Bill 2903 is trying to address is tenants being given the opportunity, given the chance to be involved in where they live. In the City of Chicago, 2903...House Bill 2903 is already law, and the housing areas that the tenants are on the boards, those projects have improved as far as...where they live, how they live. Crime rates have gone down in those areas. So for anyone to question whether or not you have two tenants being on the board is asinine. We ought to have 118 green votes on House Bill 2903."

Speaker Keane: "Representative Kulas."

Kulas: "I move the previous question."

Speaker Keane: "The Gentleman has moved the previous question. All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and the question is put. Representative Satterthwaite, to close, briefly."

Satterthwaite: "I think we have thoroughly discussed the issue and I would ask for Members to support the piece of legislation before us."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'. All those opposed vote 'no'. The voting is open. Representative Shirley Jones, to explain her vote."

Jones, S.: "Mrs. Speaker, when this Bill came up in committee, the Sponsor of the Bill said that she was going to go with the original Bill. I was just wondering why did she change

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it? I'm going to vote 'aye' on this Bill this time, but I will still like to talk to her and wonder why did she change the Bill. Thank you."

Speaker Keane: "Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 84 voting 'aye', 24 voting 'no', 2 voting 'present', and this Bill, having received...Dunn, 'aye'. Klemm, 'aye'...And this Bill having received...Who?...McGann, 'aye' or McGann, 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3239, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3239, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker Keane: "Representative Capparelli."

Capparelli: "Mr. Speaker, may I take this Bill back to Second Reading for an Amendment?"

Speaker Keane: "We will do...we will do Amendments. As we mentioned before, we do Amendments...Bills going back from Third to Second for purposes of an Amendment will be done at a specific time. So take the Bill out of the record. House Bill 3240, Representative Capparelli. Mr. Clerk, out of the record. House Bill 3422, Representative Lou Jones. Representative Jones. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3422, a Bill for an Act to amend the Housing Authorities Act. Third Reading of the Bill."

Speaker Keane: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 3422 is basically a clean-up Bill from last year's House Bill 1587 which allowed tenant representation on the Chicago Housing Authority...Commissioner Board. It was a Chicago-only...Bill. This Bill, 3422, allows them to

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meet. It establishes what a quorum is because the original Bill said they had have seven to...to have a quorum to meet. They have, as yet, have not selected the three additional members. So they, as of January, they were held it to seven (sic). This Bill allows them to meet, a quorum represents majority, and when they add the three commissioners, then seven would constitute a quorum. Also, in the original Bill, it did not state who could become a tenant member on the board. And this board cleans up that language, and I ask for a favorable vote and I would like to also add that Chicago Housing Authority and the State Housing Committee is (sic - are) all in agreement with this Bill. Thank you."

Speaker Keane: "Representative Wennlund."

Wennlund: "Yes, Representative Jones is correct. It's...it's a necessary Bill to allow the Housing Authority to operate, in fact, because they cannot actually take legal action at this point in time. It's a clean-up Bill, and it's a good Bill, and we urge your all support."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor say...vote 'aye'. All those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 116 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the required Constitutional Majority, is hereby declared passed. We will now go to Insurance. Third Reading. (House Bill) 3157. Out of the record. (House Bill) 3322, Representative Brunsvold. Representative Brunsvold, 3322 on one of your Insurance. (House Bill) 3323. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3323, a Bill for an Act to amend the

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Illinois Insurance Code. Third Reading of the Bill."

Speaker Keane: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill requested by Deere and Company. They have subsidiary insurance companies that writes laws, not only in this state but all over...all over the nation for its dealerships, and this Bill would simply say that they would, of course, follow Illinois law, but outside the state, they would be exempt from being mandated the Illinois law. That's what the Bill does. I know of no opposition and ask for the passage."

Speaker Keane: "Representative McNamara."

McNamara: "Thank you. I have a question of the Sponsor. I am not sure whether I understand what you said. You said, 'All this Bill does is exempt the Deere Insurance Company from conforming to Illinois law.' Could you..."

Brunsvold: "Outside the state. I mean, of course, the coverage, health and accident coverage, laws that are mandated by the State of Illinois are followed in this state, of course, but that should not dictate that they follow Illinois law outside this state."

McNamara: "In other words, it just allows them to go with their local laws outside the state, Sir. Yes. I understand now. Thank you."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Keane: "Yes, he will."

Currie: "So what proportion of the employees that Deere writes policies for are located in the State of Illinois? Most or..."

Brunsvold: "What portion?"

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Currie: "What proportion of all the health insurance coverage applies to people in the State of Illinois as against those who are out-of-state?"

Brunsvold: "I don't have the answer to that, Representative."

Currie: "If someone works at a Deere plant in your district but lives in Iowa...Does the..."

Brunsvold: "They would be covered."

Currie: "Then the Deere...The coverage for that individual would not reflect Illinois law. Is that right?"

Brunsvold: "If the policy is in effect in Illinois, then they would have to follow, of course, the mandates of the state."

Currie: "So, even if the individual lives in Iowa, the individual who's covered under an Illinois place of employment, you're sure that that individual would be covered by the mandates that apply to Illinois residents?"

Brunsvold: "That's my understanding."

Currie: "I thought there was a question as to whether it...it really did that or not. But you don't know how many Illinois employees..."

Brunsvold: "I don't know the numbers."

Currie: "...this would include..."

Brunsvold: "Outside, you mean you're talking outside the state. No, I don't have those numbers."

Currie: "So that the place of employment is outside the State of Illinois as well as the...My only concern is if...if we probably shouldn't be legislating what..what coverage should apply in Montana, I mean, I do appreciate that point, but I'm a little concerned that we may be saying to people who are working in the State of Illinois, but living in nearby Iowa, or Missouri, or Kentucky, or what-have-you, that their coverage does not include the requirements with

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respect to preventive mammography or fibrocystic conditions or adopted babies or whatever else is part of our mandated requirements."

Brunsvold: "The out-of-state coverage, of course, would be...would be exactly what is...is...is negotiated with those employees in those other states. I mean they would not fall under the mandates of the State of Illinois."

Currie: "Would...would the policy...I mean, you're taking out the mandates that the State of Illinois has provided? Would the policies that they write in Montana have to be responsive to Montana law? My guess is that the effect of your Bill..."

Brunsvold: "Oh, yeah..."

Currie: "...is to say that there is no requirement that you follow Illinois mandates, but because you wrote the policy in Illinois you probably don't have to follow Montana mandates either."

Brunsvold: "I'm...I'm sure that in Montana they're going to have some regulations there that are gonna have to be observed also in these policies."

Currie: "I would bet not."

Brunsvold: "You think not?"

Currie: "I would think not, because what you're telling me is that they are now required to meet Illinois mandates, even though they're writing the policy for employees in Montana. I would think that that probably means that they are not required to...to follow the Montana mandate."

Brunsvold: "Deere and Company is self-insured. So it's a negotiated agreement with their employees."

Currie: "Right. So that they are not...They would not be required to follow Montana..."

Brunsvold: "Well, you know, if you're in Montana, you're going to

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be looking at Montana law when you negotiate your health insurance benefits."

Currie: "Thank you."

Speaker Keane: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Just, perhaps, for clarification. Since insurance is the responsibility of each individual state, we have reciprocal agreements with the various states, and we do not infringe upon that...the other state's rights to determine their own insurance coverage. And that creates part of the problem why we need to make sure that there's an understanding that...with Deere. So we want to make sure that...This is a good Bill and that it complies with the reciprocal understanding with other states on insurance coverages."

Speaker Keane: "Thank you. Thank you. Representative Brunsvold, to close. Representative Brunsvold, you're on."

Brunsvold: "Thank you. The statement that I would like to read in closing: 'The Bill simply provides that coverage and services mandated by Illinois Insurance Code are limited to Illinois residents and Illinois employees. It does not exempt insurers when providing insurance inside or outside of Illinois from those sections of Illinois Insurance Code that prohibit discrimination against any particular class or group of individuals.' I was asked to read that by the American Cancer Society, so that is in the record dealing with this House Bill. I would ask for passage of 3323."

Speaker Keane: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', none voting 'no', 2 voting 'present', and this Bill, having received the required Constitutional

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Majority, is hereby declared passed. House Bill 3803. Out of the record. House Bill 3909, Representative Ronan. Out of the record. House Bill 30...or 4191, Representative Parcels. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 4191, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a fairly simple and not very controversial provision that would allow, under group life insurance policies, a spouse to be covered in an amount of insurance equal to the amount of coverage for which the employee or member is insured. At the moment, that amount is limited to 50%, and with two members working sometimes now, it's a good to have 100% insurance. Of course, they would pay for their own insurance, and this would allow them to insure up to that full amount at their own expense. There is an Amendment on the Bill that was put on for the townships. Last year in amending something so that they could be in the insurance pool, they referenced a wrong section. This merely corrects that section and is technical in nature and not opposed by anyone. I would ask for your 'aye' vote on House Bill 4191."

Speaker Keane: "Is there any discussion? There being none the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? McAfee, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113...114 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Pensions, Third

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Reading. Pensions, Third Reading. Representative Wolf, on House Bill 2645. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 2645, a Bill for an Act to amend Illinois Pension Code. Third Reading of the Bill."

Speaker Keane: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. House Bill 2645 is a vehicle Bill for pensions, and it's intended that this Bill will go into conference and be sent over to the Senate. I would ask for your 'aye' vote."

Speaker Keane: "Representative Parke."

Parke: "Just that we have...used the agreement on vehicle Bills, and it is up to each member on our side to decide whether or not they want to vote 'yes' or 'present' for a vehicle Bill. Thank you."

Speaker Keane: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 106 voting 'aye', none voting 'no', 9 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 2667, Representative Wolf. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 2667, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Keane: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. House Bill 2667 is another vehicle Bill for pensions. It's also intended that this Bill will be sent over to the Senate and then put into conference for the...under the Agreed Bill process. I would ask for your 'aye' vote."

Speaker Keane: "Any discussion? There being none, the question

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is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 105 voting 'aye', none voting 'no', 12 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 2730, Representative Wolf. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 2730, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Keane: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. House Bill 2730 is the third Bill in the pension Bills that will be sent over to the Senate and later placed into conference under the Agreed Bill process. I would ask for your 'aye' vote."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 102 voting 'aye', none voting 'no', 16 voting 'present', this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3230, Representative McNamara. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3230, a Bill for an Act to provide for continuing appropriations from the State Pensions Fund. Third Reading of the Bill."

Speaker Keane: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker, Members of the House. (House Bill) 3230. House Bill 3230 creates a State Pension Fund. And it's a continuing appropriations Act that makes

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appropriations from that fund into the five State Finance Public Employees' Retirement Systems. It's subject to the applicable provisions of the State Finance Act. The State Retirement System supports the provision of this Bill, and it's also deferred to the Department of Financial Institution for procedures to enact it. We have worked out an agreement with the Department of Financial Institutions in which they are satisfied with the content of this Bill, and I urge its approval."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this vote pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 116 voting 'aye', none voting 'no', 1 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Real Estate Law, Third Reading. It appears House Bill 1617, Representative White. Out of the record. House Bill 2848, Representative McAfee. Out of the record. House Bill 2857, Representative Kirkland. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 2857, a Bill for an Act to enlarge the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Keane: "Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. This Bill is just to...annex some property to the Metropolitan Water Reclamation District. It's a piece of property that's set for development. There is actually already service set up, but it's by...It'd be by contract if there wasn't a...if they didn't annex and this'll make the service a little cheaper."

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Move for passage."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 118 voting 'aye', none voting 'no', none voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3257, Representative Giglio. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3257, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Keane: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3257 is a Bill that the municipalities and the counties are working out, and this one is somewhat of a vehicle because they haven't really come to a solution yet. It deletes the provision that the property is the subject of annexation agreement with regards to ordinance and control in the jurisdiction and municipalities that they have when they...when they annex a piece of property. They've asked me if I could...pass the Bill, and, hopefully, they'll work it out in the Senate. If not, they'll let it...put to rest."

Speaker Keane: "Is there discussion? There being none...Representative Black."

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

Speaker Keane: "Yes, he will."

Black: "Representative, as you are aware, the Illinois Municipal League is...in opposition to this Bill. If I heard you

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correctly, you're going to make every attempt to work this dispute out in the Senate?"

Giglio: "I talked with them yesterday, Representative Black. They...they would like to have the Bill move forward and, hopefully, between the counties and the municipalities, they can work it out."

Black: "All right. Thank you."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', 2 voting 'no', 4 voting 'present', and this Bill, having received required...Curran and 'aye'...This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3464, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3464, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Keane: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. The Metropolitan Water Reclamation District requires industry to file various reports concerning volume and type of effluence discharge into their district surge system. The district is considering imposing a fee for late filing. That's exactly what the Bill does. I don't believe there's any problem with it. I ask for a favorable roll call."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 voting 'aye', none voting 'no', 1 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3612, Representative McAfee. Representative McAfee. Out of the Record. We will now to the Order of Education Finance, Third Reading. On that Order is House Bill 809, Representative Hicks. Out of the record. House Bill 2166, Representative Cowlshaw. Mr. Clerk, read the Bill. We are on Education Finance. Third Reading. The Sponsors of the Bills are: Hicks - Cowlshaw - McGuire - Satterthwaite and Balanoff. Representative...Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 2166, a Bill for an Act to amend the Education Cost-Effectiveness Agenda Act. Third Reading of the Bill."

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. This Bill needs to be returned to Second Reading for the purposes of the adoption of an Amendment, if that could be arranged, please."

Speaker Keane: "Okay, so noted and we'll take the Bill out of the record. We'll take the Bill out of the record and make arrangements to have your Bill listed with those...when we do those."

Cowlshaw: "Thank you, Sir."

Speaker Keane: "Okay. House Bill 3463, Representative McGuire. Out of the record. House Bill 3799, Representative Sat...I'm sorry. Let's go back to 3463, Representative McGuire. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3463, a Bill for an Act to amend the State Mandates Act. Third Reading of the Bill."

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Speaker Keane: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. The Bill I have this morning is House Bill 3463 and it's...called the Nurses' Pay Bill. Actually, what it is, it's to correct the problem that we have with a nurse situation...a school nurse situation in my district, and it actually just cleans up some things that have been taken care of in the past. But I'd appreciate an 'aye' vote on the Bill, and I'll try to answer any questions, if you have any."

Speaker Keane: "Is there any discussion? Representative Black."

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

Speaker Keane: "Yes, he will."

Black: "Representative, just what exactly does this clean up?"

Speaker Keane: "Representative McGuire. Would the Gentleman repeat his question? Ladies and Gentlemen, the noise level is getting up. Please, take your conferences off the floor."

Black: "Thank you very much, Mr. Speaker. To the Sponsor, if I heard him correctly, he said that this involved some...some clean-up language, and what we'd like to know is what exactly are we cleaning up here?"

McGuire: "Representative, my information is that this Bill corrects an inadvertent 1983 drafting error to the School Nurse Pay Act. It does not change the intent. It does not change the intent, and today's school nurses should not be penalized due to such errors made during the early enforcement period of the mandates Act. There's no fiscal impact to most school districts with this Bill."

Black: "Are you sure there's no fiscal impact to any school district in the State of Illinois?"

McGuire: "To most school districts, yes. Because most districts

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already have the nurses on the teacher pay."

Black: "All right. In other words, I'm looking at the fiscal note filed by the Illinois State Board of Education. Do you have that in your file as well?"

McGuire: "I don't believe I do."

Black: "It says..."

McGuire: "Yes, I do."

Black: "...and I believe you're correct. It says, 'An examination of average salary data for teachers compared with school nurses statewide indicate that, on the average, school nurses are paid similarly to teachers.' It would indicate that most school districts are currently paying nurses on the salary schedule. So they..."

McGuire: "That's correct."

Black: "You've indicated that there's probably no cost and that's what they...or minimal cost, I should say, depending on the district, but if that's the case, then why...why would we exempt this from the Mandates Act?"

McGuire: "I can't answer that, but the reason for the Bill is to correct the mistake."

Black: "That was made back in '83, right?"

McGuire: "Apparently, yes. It's an oversight."

Black: "Well, that lets you and I, at least, blame those people who were here in '83 because you and I weren't here. It isn't our fault."

McGuire: "That's correct."

Black: "It's...Thank you very much, Representative. I appreciate your patience."

McGuire: "Thank you, Sir."

Black: "Ladies and Gentlemen...Mr. Speaker and Ladies and Gentlemen of the House, the fiscal note filed by the State Board on this Bill would indicate that there is probably

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minimal cost. I would just simply say to you that the Bill certainly does have its proponents and opponents. It appears to be a Mandate and we certainly appear to be exempting the state from meeting any cost that that mandate might create. So, as you vote, you certainly may want to keep that in mind."

Speaker McPike: "Representative Lang. Mr. Lang."

Lang: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Lang: "Representative, I have a note on our file that says Cook County opposes this Bill. Would you have any idea why?"

McGuire: "I'm sorry. I couldn't hear ya."

Lang: "I have a note on the file that indicates that Cook County opposes the Bill. I'm wondering if you know why."

McGuire: "No, I really don't."

Lang: "Thank you."

Speaker McPike: "Representative McGuire to close."

McGuire: "Yes, I think it's...as I mentioned early on, it's just an attempt to correct an error that was made and to be fair to the situation in question in a district...actually, in Representative Wennlund's district, to be honest with you, and I'd appreciate your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 3463 pass?' All...The question is, 'Shall House Bill 3463 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Wennlund, to explain his vote."

Wennlund: "Thank you, Mr. Speaker. I heard my name used...something was going on in my district. I think I ought to know what it is before I vote on this issue."

Speaker McPike: "It was complimentary."

Wennlund: "It was? Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The

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Clerk will take the record. On this Bill, there are 78 'ayes' and 31 'noes'. House Bill 3463, having received a Constitutional Majority, is hereby declared passed. Under Special Order, the Governor's tax increases, appears House Bill 451. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 451, a Bill for an Act relating to taxation. Third Reading of the Bill."

Speaker McPike: "Could we have some order, please? Would the staff please retire to the rear of the chambers? Would the Members please be in their seats? The Special Order is Governor's Tax Increases. The Chair stands corrected. This is Governor Edgar's tax increases. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Bill deals with one of the Governor's proposed tax increase. This Bill, as amended yesterday, does two things. It increases taxes permanently in the State of Illinois by making permanent the income tax surcharge. Secondly, it would apply the proceeds of that permanent income tax increase to state revenues rather than as current statute provides, to local governments, local cities and counties across the State of Illinois. It's a fairly straightforward proposition. As you know, the Governor's budget is based upon taking this \$237 million that now goes to your local communities and giving it to state for our state purposes. I don't think that anyone in this chamber needs further explication of what the Bill does. I think all of you have a pretty clear idea whether you want to stand with your Governor and take this money away from your mayors and your managers, or whether you want to stand with the people back home who, otherwise, are likely to be faced with tax increases at the local level."

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Speaker McPike: "The Lady has moved for passage of House Bill 451. And on that, the Minority Leader, Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in an interesting position right now because you heard a great deal of what was said yesterday and we, of course, are not supportive of the charades that we have gone through now, I believe, three years in a row, and probably in the last ten years, maybe seven out of ten. I think that what we ought to be doing right now, instead of standing up and having some people flex their muscles or say, you know, that we're gonna put up a Bill that maybe they'll put up 14 votes on...and, my gosh, 14 votes...I heard a Gentleman yesterday talk about he had 14 votes - even we have more than that on this side of the aisle - and I thought to myself, well, it's an interesting approach that they're taking. But we all know that the approach, right now, is premature. We all know that the budget has not been defined as of this point. We all know that the Governor intends to live within our means and that the means are the amount of revenue that's available. And if, of course, the tax increases are not acceptable to the General Assembly as a whole, so be it; then we need to fashion the budget in that mode. But I'll tell you this: When you pass a Constitutional Amendment, Constitutional Amendment Joint Resolution 130, that we all know, by our own research units, will cost the State \$3 billion in tax increases - those are estimates by the Legislative Research Unit, our own branch, and by the Economic and Fiscal Commission - \$3 billion in tax increases - then you come back and you say, 'Well, we're going to put up for a vote in an effort to try to convince some members of the press

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that this has any meaning for it right today...because I read some of the articles, and some of you got the point and others didn't. But, those of you that weren't here last year, this is exactly what we did last year, just so you can remember and so that you know. We understand that it's not going to pass. We understand that there is nothing that passes the General Assembly without the Majority Party and their strong 72 vote commitment, and if we need and want the additional revenue, then we have to look at alternatives to how we raise that revenue. And whether it be in the fashion that the Governor suggested to us in his budget message when he delivered it in April, and balancing this budget and tending to the needs of education and adding the additional \$30 million in elementary and secondary education, of course, is a matter that people will decide, the elected Representatives will decide. But what I'm appealing to your side of the aisle is, Can't we get along? Can't we work together? Can't we strive for a budget that is taking care of what the people are wanting us to do? I think we can. I think that we can get out of here by June 30th. I think we could strive to make sure that we have an ability to fashion a budget that's balanced and takes care of the people's needs, and I think that, in this Assembly, we can work together to do just that. Now, I know that you have some priorities and that we have some priorities, and that in the area of the mental health budget, for instance, I am not for drastically cutting that because, as you all know, that the area of the mental health budget is providing for people that can't help but provide for themselves, and we need to create some priority funding in those areas. In the area of education, we know, for instance (if my figures are correct), Chicago spends

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about \$5,500 per pupil on education. Some of the other parts of the state don't spend that much. Well, can't we make sure that what we do is try to fashion a budget that takes care of the education needs all over the State of Illinois? You know that this is premature right now and we know that it's premature. On this side of the aisle, we want to work with you, and we want to help fashion a budget that meets the needs of the people of Illinois. We don't want to participate in a charade and a sham in an effort to stand up and say, 'Right now we have 14 votes out of 72 votes that can help fashion this. So, what I ask of you is to put this to an end and let's move forward to where the best place to approach the Resolution of this budget is. We're going to vote 'present' on this side of the aisle, and we will stand ready to work with you on balancing a budget when the time is right."

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. You know, I think this is a wonderful idea that early in this Session we have an opportunity to vote on this very important tax increase that's been proposed from the Governor on the second floor. Now, in 1989, when we passed the surcharge, it was a Democratic Sponsored initiative that was initially looked upon by various segments of society as 'Oh, another tax and spend proposition'. This tax was welcomed; this tax...the revenues were welcomed by the educational community and by the local governments. And then in 1991, we spent 17 or 18 long days, as you recall, at budget impasse and over negotiations, much of which concerned how the surcharge dollars were going to be distributed thereafter when the new fiscal year began. And after the accumulation of 18

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days, part of that a budget agreement, as well as the property tax caps that were agreed to and the budget reductions, were to distribute those surcharge funds, half to education and one-half on a temporary basis to local governments and beginning in July 1, 1993, 75% to local governments. That was what was agreed to by Republicans, Democrats and the Governor on the second floor. Now, when the Governor released his proposal in April, he went back on his word, and I believe it shocked a lot of people - not only Legislators in this Body, but mayors, village presidents, council members, county board presidents, county board members throughout the state. Can you find one mayor, one village president, one county board president who says, 'Sure, take the money back. We don't need it. It's not going to hold down property taxes. Take the money back. We don't need it. You were down here 18 days and you made an agreement, a bi-partisan agreement. Take the money back.' Ladies and Gentlemen, this is political piracy on the high seas of state and local government relations. This is outright theft. This is outright theft. This should never occur. These surcharge dollars should stay to the local governments. We should keep our word that we made in July of 1991. We should defeat this Bill."

Speaker McPike: "Speaker Madigan, to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to speak on this Bill, but my remarks are intended to cover this Bill, the next Bill to be called which would provide for further tax increases by the Edgar Administration, and then our plan for the remainder of the day, to go to immediate consideration of the budget for the next fiscal year. And in regard to all of this, what is at

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issue, in my mind, is what I view as mismanagement of state government. We've now lived under the Edgar Administration for about a year and a half, and we've heard a lot of pronouncements from Mike Lawrence (who used to be a good reporter and now, unfortunately, he's just an agent of the Administration), that everything is wonderful, that the people are happy, everything's good in Illinois, and that this administration is a visionary administration and everything is well-managed. Well, it's not being well-managed. It's not being well-managed. One of the first things the Administration did was to open negotiations with the AFSCME union for a contract for State employees. When Governor Thompson did the same thing three and a half to four years ago, Mr. Thompson had an outstanding Director of the Department of Central Management Services named Tristano. I asked Mr. Tristano if he would permit me to send a monitor to the negotiations. I presumed he checked with the Thompson administration, and he called me back and said, 'Sure, you can send people over to watch what we're doing, and if you have a comment or two, we'd be interested to hear what you've got to say.' So I told him, I said, 'Mike, we all want a contract that will extend beyond this administration, and we don't want a contract that, in our judgment, the State will not be able to pay.' The negotiations ensued. Majority Leader McPike went to the negotiations, we were permitted to participate, to comment; a good, solid contract was signed. Now, let me take you to the Edgar Administration. Same scenario. A request from my office to be advised as to the nature of the negotiations, to be permitted to send a monitor to the negotiations. Never a response. Never a response. The

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last time I heard from them was a press release that they had signed a contract that would provide for a 13% increase for state employees from the beginning of the contract through July 1 of 1993. So, now, here we are with a multi-year contract, a declining economy, declining state receipts, and we're called upon to pay for all of that. Part of the method of paying for the contract was to mortgage the future to provide for a pension pick-up and an early out. And now we realize the costs that have been put upon the Illinois State Pension systems to pay for the early out. What we know today is that all of the credit rating agencies in New York have taken action relative to the rating of the State of Illinois for the purpose of issuing debt. Our rating has been reduced by one of the agencies; the other agency has put us on a watch. So I say to Mike Lawrence and I say to anybody that wants to listen to Lawrence, 'Things are not going well. Things are not being well-managed.' We have an administration that tells us that they want to reduce government spending. The Governor comes before the House; he delivers his State of the State Address, or his budget message; he makes all these references to downsizing state government; all of his loyal supporters on the Republican side rise and cheer and clap, and applaud, and everybody's happy and everybody feels good. They should feel good because after he says that they're downsizing government, from July 1 of 1991 to January of 1992, the state proceeds to hire 2,183 more employees. None of those people were recommended from this side of the aisle. After all the rhetoric...after all the rhetoric about downsizing government, less government spending, the Post-Dispatch reports that over the last year, when allegedly there was a freeze on rising

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governmental expenditure, that there's been salary increases by as much as 39% for 358 state employees. Meanwhile, people, who can hardly survive, are having general assistance and transitional assistance phased out, removed. People that can hardly live are having their benefits reduced, but this administration can find the time and the money to provide for salary increases up to 39% for 358 state employees. Meanwhile, at the beginning of this week, the Comptroller's office reports that the state now has bills totalling \$786 million that have not been paid. Seven hundred and eighty-six million dollars not paid and we've \$184 million in the account. So that's where we are, Mike Lawrence and all your press releases. I met with a doctor that practices in Springfield, yesterday and you know I'm very concerned about doctors. You know that. So, what does the doctor report? Well, he's now being paid for his December bills under the State Group Health Insurance program. December. This is May. This is a private businessman who's carrying the State of Illinois from December to May. And so I say to you, Ladies and Gentlemen, what the issue is today is the management of state government and its mismanagement by the current administration. This Bill and the following Bill would propose that increased revenue be brought into the state, despite the Governor's budget address where five times he told us, 'No general tax increase is in my budget.' Five times, he stood here, addressed this Body, addressed the people of the State of Illinois over live television, and said, 'No general tax increase is in my budget.' But what he does want is \$345 million of increased revenue, which I label 'tax increases' for the purpose of state government. I plan to oppose this Bill. I plan to oppose the next

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Bill. My expectation is that both Bills will fail and then we will proceed, immediately, to consider the budget for the next fiscal year, and today we will consider Amendments to reduce state spending. These will not be Amendments that further hurt poor black people in Chicago. These will not be Amendments that further hurt poor Hispanic people in Chicago. These will not be Amendments that further hurt white ethnics in Chicago. These will be Amendments that will lay off white bureaucrats who live out in Chatham and the suburban areas of Springfield. For the first time in the Edgar Administration, those people will be hurting, not just the poor who cannot defend themselves. That's what the Amendments are going to be about. They're going to really cut the waste in government, and they'll be considered today. So, Mr. Speaker, as I said earlier, I rise in opposition to this Bill. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 451 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Pedersen, to explain his vote."

Pedersen: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. We have just heard references to a declining economy. The reason we have a declining economy in this country is because of tax increases, an increase in tax burden. If you want revenues, and you want jobs, and you want growth, you lower the tax burden, and that's what the problem is. In '89, we increased taxes. We increased them in Washington in 1990, and that's what we need to be doing if we're going to come out of this bind. And we talk about theft, theft from one taxing body to another. The theft in this state comes from the little guy that's paying those taxes out of his pocket. So, if we really want to do the right thing, we lower the tax burden; help all the

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taxpayers; we get the growth and jobs; and then we get the revenues that everybody says we need so much."

Speaker McPike: "Representative Hasara, to explain her vote."

Hasara: "Thank you, Mr. Speaker. I rise in support of the wonderful citizens of Chatham and the west-side suburbs of Springfield. They are wonderful, working people; they have one of the best school systems in the State of Illinois; and I am certainly proud to represent all of the people of Chatham and west-side Springfield. And I think there probably are other areas of the state that could look at the good example the hard-working people in those areas provide for them. Thank you."

Speaker McPike: "Representative McCracken."

McCracken: "Well, I rise in support of Mr. Lawrence and Governor Edgar, and I would like more than a minute to respond to the remarks of the closer on the Bill. Now let me tell you something. You all know how this works here. It's got to be a cooperative effort because you can't override the Governor's veto, and the Governor can't enact appropriations at greater than the level passed by the House. It's as simple as that. We all know it. So it's a sham. And I know the press likes metaphors, and I know they wrote down Representative Novak's metaphor. Well, let me give you a metaphor. This is a three-ring circus, and the Speaker is the lion tamer. (I say that as a compliment to the Speaker. The lion tamer is the guy who runs the show.) But having said that, let's get back to reality. Government has to be cut. At least on that score, we agree, but it can't be cut, unilaterally. It's got to be a cooperative effort. These last minute Amendments, sprung on us with no notice and with no opportunity to respond, is not that effort. It is not designed to be that effort."

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Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are no 'ayes', 70 'noes', and 48 voting 'present'. House Bill 451, having failed to receive a Constitutional Majority, is hereby declared lost. It will not be the intent of the Chair to return to this subject matter again this year. Representative Matijeovich."

Matijeovich: "Well, I want Governor Edgar to know he's not the only guy that didn't get a green vote. I did that once. But I got all 'no' votes, including my own. Ted Leverenz and I have the record, but the Governor came close."

Speaker McPike: "House Bill 1103, Representative Currie. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 1103, a Bill for an Act to amend the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Bill includes the other tax increases proposed by the Governor, tax and fee increases. That would mean the increase in the liquor tax, which would bring in \$83 million. The increase in the...cigarette tax, the non...the smokeless tobacco tax, which would bring in about \$10 million. A change in the way alcohol and liquor taxes are collected to bring in \$15 million and the elimination of the carry-back income tax break for corporations which would be worth, I believe, about \$20 million a year. In addition, this Bill includes all of the fee increases in the Department of Conservation, in the Department of Agriculture, Financial Institutions, Department of Labor, Department of Alcohol and Substance Abuse, Department of Public Health, Department of Children and Family Services, Department of Professional Regulation, (that again have

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been proposed by the Governor), Department of Nuclear Safety and the Historic Preservation Agency, as well. The Governor, again, has used these figures to balance the budget that he proposed to us in April. I resented a bit the remarks of the Minority Leader, the suggestion that we were not, on this side of the aisle, prepared to compromise or negotiate. It isn't often that a Democrat from the City of Chicago offers up her Bill to carry the Governor's proposed tax and fee increases, but I did and I did so in good spirit, in good humor, in fact, last week, the Governor's people came to me and thanked me very kindly for my willingness to work with them to solve the financial problems of the state. There's also been a suggestion that it's not timely to deal with tax and fee measures. It's May 20th, Mr. Speaker and Members of this House. May 20th. I was sent here, by the people who elect me, to solve the problems of the state, to craft a budget, to do the work of the people; not to cede that responsibility to the Governor and the four leaders sometime after midnight June 30th. If this is not timely, I don't know when is. I'm going to vote for this Bill. I think state government needs some increased taxes, just as the Governor said, in order to be able to balance our budget without further hurting the vulnerable, the poor, the mentally ill people of this State. I think his tax increase proposals make sense. I don't think we have any real choice if we want in our budget to be able to do the job that the people sent us here to do. So, I don't think that this is a phony scam. I don't think it's an act. I think that using this Bill for this purpose is a legitimate offering of negotiation and compromise, and I hope many of my colleagues will join me in voting 'yes'. I don't want this Bill to go down in

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quite so many flames as the previous one did."

Speaker McPike: "The question is, 'Shall House Bill 1103 pass?'

All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish?

The Clerk will take the record. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to clarify what the Minority Leader's comments were with respect to this bulk of these Bills and the spectacle. If you want to bash the Governor, call a press conference. The press will all be there. They'll all attend, and they'll print it. Instead of using the House of Representatives and the time it takes in these two Bills to bash the Governor. There are better ways of doing it than using this forum to bash the Governor, and I would suggest that if that's what you want to do, then let's call a press conference instead of going through this charade."

Speaker McPike: "Representative Wennlund. I'm sorry. Representative Harris."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I compliment the Lady on her previous Bill and on this Bill. You know why? Because everyone of us in this chamber, for the past how many years, have delegated the responsibility to put together a budget to the Leader or to the Governor and the Four Tops, as we call them, and that's wrong. We shouldn't do that. Is this, however, the right procedure? Well, I don't think this is the right procedure either, but it certainly gets our attention. Maybe, maybe, when we get past here and the three-ring circus is over today, we will indeed come together and put together a budget before June 30th or before July 1st. Our party is taking a position for a 'present' vote. I would ask to be recorded as 'present', but, again, I say, she brings

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attention to a very real problem, and we ought to be conscious of it. Thank you."

Speaker McPike: "Schakowsky votes 'aye'. Harris votes 'present'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 2 'ayes', 67 'noes' and 49 people voting 'present'. House Bill 1103, having failed to receive a Constitutional Majority, is hereby declared lost. It is the intention of the Chair not to return to this subject matter again this year. We are now going to the Appropriations. Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, as stated earlier, our plan for the remainder of the day is to proceed to the consideration of the Appropriation Bills and Amendments to those Bills which will severely reduce the level of spending by the State of Illinois. Our plan is to permit examination and analysis of those Amendments, then go to Party Caucus sometime within the hour. After the Party Caucuses, why, we'll return to the floor and begin the consideration of the Appropriation Bills. So, for now, we'll stay on the Order of Third Reading for a short time."

Speaker McPike: "House Bills, Third Reading. Returning to Special Order Insurance. House Bill 3157, Representative Lang. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3157, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3157 has three provisions, well, many provisions, but they're involved in three different Amendments. One Amendment is agreed language of the Department of Insurance dealing with what powers the director has in certain situations to follow certain

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moneys. Also dealing with the fact that the circuit courts do not want the power to oversee the fees that certain court-appointed deputies receive. The other Amendments relate to simplified language in insurance policies and a provision that would require that no health insurance policy in the state have premiums that increase more often than once every six months. We've debated these issues often. It's here on Third Reading. I ask your 'aye' votes."

Speaker McPike: "And on the Gentleman's 'do pass' Motion, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Just to bring the attention back to what this actually is, this is mischief, mischief, mischief. I pack mischief again three years in a row. Let's get some 'no' votes up there."

Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, Representative is back with his uncontrollable itch, his uncontrollable itch to simplify the language. Coming from a lawyer, that's a big mouthful. With...The other deal about the six month premium, this is all warmed over. I packed stuff. It's does...just as the previous Legislator said, mischief, and what we oughta be doing with this with it what we've been doing the past several years and vote 'no'. We don't need a Bill that creates more jobs for lawyers trying to sort out the simplified language. I urge a vote of 'no'."

Speaker McPike: "It will be the Chair's intent to stay on Third Reading until 12 noon. At 12 noon, both Caucuses...both Parties will have a Caucus. Our intent is to have a 1 hour caucus from 12 to 1, return to the House floor at 1 p.m. and stay on Appropriations Bills for the remainder of the

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day. Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. This Bill has several Amendments, and so there's no confusion, could the Clerk run down and tell us which Amendments are on this Bill and which Amendments are not on the Bill?"

Speaker McPike: "Mr. Clerk."

Clerk McLennand: "Amendments #1, 2 and 7."

Speaker McPike: "Mr. Black, Amendments #1, 2 and 7 have been adopted."

Black: "Thank you very much."

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's too bad. Amendment #7 was a very fine Amendment, but Amendment #1 and 2 which had been referred to heretofore, had been tried again and again and again in this House and have failed. It's too bad that they were put on with Amendment #7 which is a fine Amendment. The Department of Insurance now opposes this Bill, as well as those poor taxpayers and insurance premium people out there paying their insurance premiums, who now will be socked every six months for their health insurance. It'll get a huge, big increase instead of smaller increases along the way which they would much prefer. As far as clarification of language goes, they have to, by statute, put in certain things, and why we would ask only the insurance industry to be clearer in their language and not all other contracts in this state, makes no sense at all. This is very bad legislation, Amendments #1 and 2, and I'm sorry to see them with Amendment #7. I would ask for your 'no' vote on this Bill."

Speaker McPike: "Representative Parke."

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to point out to you the practicality of what happens if this Bill were to pass and actually become law with the change of so-called simplification of insurance policies. The real world means that the Department of Insurance will have to review all of these new simplified contracts which will cost the taxpayers of this state tens of thousands of dollars because we don't have the manpower. As you know, because of the financial condition that the state finds itself because of declining incomes, we have had to curtail a lot of the agency's personnel. This would require the agency, the Department of Insurance, to cut back on other areas of responsibility to protect the citizens of this state by having them have to approve all of these contracts that have to be simplified. In addition, I might point out to you, that these contracts are just that. They are legal documents. You can't simplify this down to make it so that it is, in effect, not a legal document. It still has to be that, and, so, in the real world, what's going to happen is that these contracts are going to be taken to court, and many of the court costs will be borne by the consumer, by the person who buys the insurance policy, because it is now so simplified that it's not a contract and will be opened up for interpretation. In essence, what it means is that there's going to be more court proceedings, more cost to the consumer. This is an anti-consumer Bill, regardless of what anybody tries to tell you, and I respectfully rise in opposition to this, and I would ask you to weigh my comments because this, in fact, is true. This is really what's going to happen and no matter what the Sponsor says, this is going to cost the taxpayers of this state. It is a

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bad idea. It cannot be simplified to a point that makes it acceptable to the Sponsor without changing the effectiveness of a contract. I would ask you to vote 'no'."

Speaker McPike: "Representative Lang, to close."

Lang: "Thank you, Mr. Speaker. Some of the previous speakers really aren't paying attention to what's going on here. The...There are many insurance companies in this state right now that have developed simplified insurance policies. Many have not. And for those that have not, for those that have not, I would say to you that your senior citizens, your people in your district, don't know what those policies say. They don't know how to make a claim. They don't know where to make a claim. They don't know what their policy covers. They don't know what the policy limits are. They don't understand the legalese in those policies. Now, some of my colleagues in the legal profession make a lot of money because our constituents don't understand what these insurance policies say. So, this is not a full-employment-for-lawyers Bill. This is a Bill that says let's let people understand what they're signing. To those that say all contracts in the state should be written in simple language, I agree, and to the Representative on the other side of the aisle that said that, I remind her that she voted against that very Bill in committee. So let me suggest to the Body that this is an important measure. This is a protection for your people in your districts to let them understand what their insurance policies say. I ask for your 'aye' votes."

Speaker McPike: "The question is, 'Shall House Bill 3157 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Mulcahey changes from 'no' to 'aye'."

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Representative Wennlund. Mr. Wennlund, for what reason do you rise?"

Wennlund: "Thank you, Mr. Speaker. If this Bill receives the requisite votes, I would request a verification."

Speaker McPike: "Representative Lang, to explain his vote."

Lang: "Thank you, Mr. Speaker. I know when I've been beaten on an issue. I should say to the Body that the Amendment 7 for the Department of Insurance is a very important Amendment that is agreed, and if you'll let me get this unpostponed, I will move it back to Second, remove the offending Amendments and just go with Amendment 7. I have asked the Body to help me do that."

Speaker McPike: "Representative Parke. Mr. Parke."

Parke: "Never mind. Never mind. Thank you, Mr. Speaker."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 40 'ayes' and 59 'noes'. House Bill 3157 having failed to receive a Constitutional Majority is hereby declared lost. Representative Brunsvold, 3803. Representative Ronan. Is the Gentleman here? Education Finance, Representative Balanoff on 3801. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3801, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3801 would give the Chicago public schools the right to issue life safety bonds by public referendum. In 1958, there was a fire, Queen of Angels School, in which 90 children, over 90 children, were killed. At that point in time, every school district in the State of Illinois, over 1,100 of them, were given the power to issue life saving

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bonds for the purpose of making health and safety improvements in the schools. Many of the Chicago public schools are falling apart, and the only school district in the State of Illinois that was exempted from that good law was the Chicago public school system, District 299. House Bill 3801 would give the Chicago Board of Education the power to put to public referendum the question of issuing bonds for health and safety improvements in the Chicago public schools and for energy efficiency. And I'd be happy to answer any questions."

Speaker McPike: "Representative Kubik."

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

Speaker McPike: "Yes."

Kubik: "Representative, I just wanted to make sure that I understood the contents of your legislation. As I understand it, what you're asking for is the authority to do a front-door referendum on creating a life safety bonding authority with the Chicago public schools."

Balanoff: "That is absolutely correct. It would be by front-door referendum."

Kubik: "Is it a mandatory referendum or...or would it...would it require the vote of the Chicago School Board? I mean, how does it get...how does it get on the ballot?"

Balanoff: "Well, you'd have..the school board would have to pass it and then it would go on the ballot."

Kubik: "Okay."

Balanoff: "They couldn't do it without a referendum."

Kubik: "The...does this...again, I don't have the Bill in front of me. Does this particular legislation set a maximum rate on Life Safety..."

Balanoff: "Yes, it would be the same as the state, which is 5¢ per hundred dollars of...of the EVA. And...so on a \$70,000

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home, it could be between \$5 and \$10."

Balanoff: "Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, I would...I would rise in support of this particular legislation. I think the Gentleman is trying to address a...a problem which does exist in the Chicago schools. I think it's a good way to address it. I think it's...it's a good way to address it because what it does is it gives the people, the people of the City of Chicago, the opportunity...to decide whether or not they want to invest more of their property tax dollars, or their taxpaying dollars, the most important commodity that we can provide, that is the education for our young people. So, I think the Gentleman has a good Bill, and I intend to support it."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Representative Balanoff has spoken to me about this Bill several times. It is not a Bill that imposes anything upon anyone. I want to make that part of this Bill very clear. It simply permits the people of the City of Chicago to vote on this issue and make their own determination. If we can trust people to elect us, then certainly we ought to trust them to make the major decisions that involve how they want to go about providing funds for their local schools. I think Representative Balanoff has an excellent Bill here, and I think everyone on this floor, on both sides of the aisle, and regardless of whether you live in Chicago or elsewhere, should be in support of this Bill. I congratulate the Sponsor and urge a 'yes' vote."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, I, too, am appalled at the conditions of

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the Chicago public schools, the conditions in which they have allowed to deteriorate to from previous administrations. My question to you, Representative, is, 'What guarantee is there in this legislation or does any exist in which any funds earned would definitely have to go for repairing the Chicago public schools?'

Balanoff: "Because in the Life Safety codes that's what Life Safety bonds are issued for, would be for repair of safety and health conditions in the schools as well as...they could be also used for energy-efficiency. It's...it's currently in the law."

Davis: "They could be used...the funds could be used for energy efficiency?"

Balanoff: "Right. Many of...for...If they wanted to put in a heating...you know, like a furnace in a school, they could be used for that. They could be used for electrical repairs, and many of the schools are over a thousand code violations in any given day. They could be used for windows that have that are falling in..."

Davis: "Let me ask you this. What monitoring mechanisms exist in this legislation? And who does the monitoring?"

Balanoff: "That's a good question."

Davis: "Well, I didn't want to ask you a hard question, but..."

Balanoff: "I imagine it would be a state board. I think it's the state board. I don't know. I'll be honest with you."

Davis: "Well, I'm going to support the legislation, but I'd feel much better if there were some mechanism for the General Assembly to monitor those funds to make sure they're used for that purpose, because I would hate for us to come back two years from today to find those schools are still in this deteriorating condition."

Balanoff: "Oh, I agree. Well..."

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Davis: "And I'd also like...I'd like to also make sure that minority contractors get some of those bonded dollars that we're going to appropriate out of here. So would you consider changing some of this in the Senate and make sure that that happens? Some form of monitoring to make sure the money gets spent the way it should, number one, and...and...what do you call that? A minority set-aside for the actual work. Thank you."

Speaker McPike: "Representative Balanoff, to close."

Balanoff: "Well, very briefly, I think all that needs to be said has been said. Government in its purest form is government by the people and by referendum, and that's what the foundation our country was built on. And I would urge an 'aye' vote."

Speaker McPike: "Question is, 'Shall House Bill 3801 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 97 'ayes' and 15 'noes'. House Bill 3801, having received a Constitutional Majority, is hereby declared passed. House Bill 3799, Representative Satterthwaite. The Lady asks leave to return the Bill to Second Reading. The leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Satterthwaite."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I move for the adoption of Amendment #4 which essentially returns the Bill to its original form and purpose. It is meant to be a vehicle for the proposal coming out of the School Finance Task Force, and I would move for adoption of Amendment #4."

Speaker McPike: "The Lady moves adoption of the Amendment. All

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in favor vote 'aye', opposed, 'no'. The 'ayes' have it.
The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Wennlund."

Speaker McPike: "Representative Wennlund withdraws the Amendment. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Lady asks leave to hear the Bill on Third Reading at this time. Are there any objections? Hearing none, the Attendance Roll Call will be used. The leave's granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3799, a Bill for an Act relating to Educational Finance. Third Reading of the Bill."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I'd simply ask for approval of the Bill. It is a shell to be used for the School Finance Task Force recommendation."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Apparently, the Sponsor will yield even though the Speaker is paying no attention to what's happening here. Representative Satterthwaite, do we have your commitment that, in fact, this Bill will be used only and exclusively for any recommendations that may come from the School Task Force on the...the School's Finance Task Force, and that, in fact, if that task force does not make any recommendations, that this Bill will simply be permitted to die?"

Satterthwaite: "Yes, Representative. I don't really have that control of the Bill in the Senate, but I would instruct whoever becomes the Senate Sponsor that that is the wishes (sic-wish) of the House."

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Cowlshaw: "Thank you very much."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As does the Sponsor of the Bill and the previous speaker, I also serve on the task force to rewrite the school aid formula for which this Bill, I guess, is intended to be used. However, I might warn you that, surrounding the press accounts of what may happen with that new formula, this Bill could end up deciding a tax increase in excess of \$1.8 billion. So, you might to be careful about a vote on this Bill which currently is a vehicle Bill, but may end up containing recommendations for such a large tax increase that you might have a little difficulty explaining back home."

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I disagree with the previous speaker because this is not an appropriations Bill. Nor is it substantive language for any taxes whatsoever. What it is meant to do is just be a vehicle Bill that will allow for a reasonable change in the school aid formula so that it's fair to all people in the State of Illinois. I support this vehicle. We need it out there. It has nothing to do with tax increases. It has to do with redistribution of funds within the tax structure."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 69 'ayes' and 39 'noes'. House Bill 3799, having received a Constitutional Majority, is hereby declared passed. State Budget, Third Reading. House Bill 2833. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2833, a Bill for an Act to amend the

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Build Illinois Bond Act. Third Reading of the Bill."

Speaker McPike: "Representative Williams would seek leave to handle the Bill. Leave's granted. Representative Williams."

Williams: "Yes, this is the Build Illinois shell Bill, and as you know, it's about continuing negotiations that Mr. McPike carries on every year, and we'd hope to get a favorable roll call. Move 'do pass'."

Speaker McPike: "Question is, 'Shall House Bill 2833 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 79 'ayes' and 34 'noes'. House Bill 2833, having received a Constitutional Majority, is hereby declared passed. House Bill 2834. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2834, a Bill for an Act to amend the General Obligation Bond Act. Third Reading of the Bill."

Speaker McPike: "Representative Williams asks leave to handle the Bill. Leave's granted. Representative Williams."

Williams: "Yes, 2834 is the General Obligation Bond Act. It decreases it by \$1, it's also the shell Bill for continuing negotiation. I'd ask for a favorable roll call."

Speaker McPike: "Representative Balthis."

Balthis: "Thank you, Mr. Speaker. On the last Bill, I was a 'no' vote, and it did not record it on the board."

Speaker McPike: "Representative Balthis would have voted 'no' on House Bill 2833 and the record will reflect that. Question is, 'Shall House Bill 2834 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 72 'ayes' and 39 'noes'. House Bill 2834, having received a Constitutional Majority,

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is hereby declared passed. Elections, Third Reading. Government Administration, Third Reading, appears House Bill 3563 (sic), Representative Stern. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3563, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. House Bill 3563, more familiarly known as the 'motor voter' Bill, gives Illinois an opportunity to join other progressive states in registering its citizens to vote in a much more convenient and accessible way. It would require registrars within the offices of the Secretary of State, the Department of Public Aid, the Department of Employment Security and the Department of Public Health to, when they wait upon customers for other services, to offer them the opportunity to register or to change the address of their registration depending on their needs. Now, we know, we talk about it a lot, but people do not participate in elections. As a former county clerk, I am kind of a missionary on this subject, and I believe strongly that more people would vote in elections if they were registered. Many people work 9:00 to 5:00, the hours when the Secretary...when registrars offices are open. They are unable to get to a place of registration easily and conveniently. They don't realize until 30 days before the election that, 'by George, they do want to vote in this election. They do care whether it's George Bush or Bill Clinton or Ross Perot.' And then, when they go to look for a registrar, they find that it is too late because registration closes for the 30 days prior to an election. You probably have received comments from these offices that they don't wish to

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participate in this, that they don't feel this is their mission. Ladies and Gentlemen, it is our mission to make registration easy and convenient for the citizens of Illinois. It does not have to cost what their impact statements say it will cost. Other states have done what Illinois can do. Arizona has motor voter registration available with no additional staff. District of Columbia employs no additional staff. In Iowa, the costs are negligible. In Maine, there was no additional staff, et cetera, et cetera, et cetera. Illinois can do what other states have done, and Illinois should make the effort to do it. We need simply to design a form which will make it possible for the client at the window of the individual doing the registration to do this in one bite, and it can be done. We all these forms are designed every day. That is, perhaps, the major expense, and that should be under \$50,000. I'm not going to tell you it's only \$50,000. We estimate that it's somewhere in the neighborhood of \$100 to 300,000 for the entire program statewide, but with what a result. I will be happy to answer questions."

Speaker McPike: "And on the passage of the Bill, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Would the Lady yield for a question?"

Speaker McPike: "Yes."

Stern: "Sure."

Kubik: "Representative. Representative, there's a slight confusion as to what this Bill, as it sits on Third Reading, actually is. Let's have a quick dialog about that."

Stern: "Yes, I'll be glad to. You are probably concerned because we once discussed the possibility of taking out the other

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offices than the Secretary of State. Is that correct?"

Kubik: "It is my understanding that this Bill, as it sits on our desk on Third Reading, would extend the motor voter provision to the Secretary of State's Office, to Department of Public Aid, Department of Employment Security and the Department of Public Health."

Stern: "Correct."

Kubik: "Okay. And you have estimated it to run in the neighborhood of...what did you say, \$300,000?"

Stern: "We...we...Governor Edgar, when he was Secretary of State, estimated that this program would register approximately \$750,000 individuals in the course of a year. I think a likely figure for that would be 20¢ per registration, although I'd be surprised, frankly, if it was that much. And that...I did the multiplication here somewhere. That's about \$150,000."

Kubik: "Mr. Speaker, to the Bill. I would, first of all, like to compliment the Representative. We normally work together on these Bills, and, unfortunately, we are...we are in opposition on this particular proposal. Let me address this issue on two points. I think it should be...let's take the...the issue of the basic philosophy of where we're headed on this. And I understand...I don't think there's anybody who is more interested in registering voters than we in the General Assembly. I'm a deputy registrar. My office is a deputy registrar. We go out and we register voters, but I think we really have to ask ourselves a fundamental question, and that is, What does government do and what is the function of government? Is the function of government to provide a service for which a department has been designed? Say...in the case of Public Aid, providing public assistance for people. In the case of Employment

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Security, providing unemployment compensation and the like. In the case of the Secretary of State's office, providing driver's licenses. The bottom line is, What are we asking...what we asking these departments to do? And...and I would contend that we ought to look at this question carefully, because we don't ask county clerks to handle Public Aid people. We don't ask county clerks to handle driver's licenses. We don't ask county clerks to handle unemployment compensation. Yet, we are going to do those things. In a time when, as the speaker pointed out a few Bills previous, we are in the process of downsizing government. We're going to ask people to not only do their jobs in providing the service that the agency has been asked to provide or is mandated by law to provide but also to register voters. So I think that we ought to look at this from a purely philosophical issue on the one hand, and I would like to address it from another point of view. And that is the fiscal point of view. I think that...that we can sit here and dispute figures. The figure that we have for enacting this program for all of the departments, that includes the Secretary of State and all of the other departments, is \$5.5 million. Now that is not necessarily just tied up in staff. That's tied up in training. That's tied up in equipment, et cetera. So, we're talking about a significant amount of money in a time when we're looking...in less than two hours, we're going to be cutting the budget, I understand, rather significantly, and here we are asking...We're actually pushing forward a Bill that is going to cost us money. Now we can sit here and dispute the figures, and Representative Stern, I'm sure, will...will make the case that this figure's inflated, but the bottom line is it is going to cost money, and it's

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going to cost a significant amount of money. So, I think we ought to look at this issue carefully, and I would advise that this is an issue that is just not timely at this point in time. It is just not the right time to enact a new program. It's not the right time to go out and start training people when we're going to be asking state government workers to do more with less, and now we're going to ask them to register voters. So, I think that we ought to look at this carefully, and I don't think the issue ought to be whether we're registering voters or not. The issue ought to be whether we, in state government, can afford to do this at this point in time. And I would think the answer to that question is 'no'. So I would urge a 'no' vote on 3563."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this measure, and I urge my fellow suburban Legislators, on both sides of the aisle, to do so as well. Like the previous speaker, I represent an exclusively suburban constituency, a constituency where, for a variety of reasons, namely economic, constraints don't always make it possible to available ourselves of government services when, in fact...during the hours that they are provided, and the previous speaker did bring up a very important point. He asked the question, 'What is the function of government?' The function of government, as I understand it, goes purely...goes far beyond that of service providers. The function of government is to give people the opportunity, as much opportunity as possible, to exercise their democratic rights. One of the ironies that I've discovered during the brief time that I've been here, is that we're often the cause. The perception of this Body

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is often the cause of the apathy which prevents people from making that extra effort to go and do something as fundamental as register to vote, to participate in the electoral process. I believe that we should do whatever's necessary to facilitate that participation. I commend the efforts not just of the Sponsor but of the county clerks, particularly the county clerk in the largest county of the State, Cook County, David Orr, for his cooperation in the measure, and I think, to address a concern that the previous speaker alluded to, I think that you'll find that because...within the not-for-profit community, with an eye towards facilitating the implementation of this program, I believe that you'll see not-for-profits who are already involved in voter registration and increasing participation in the electoral process. I think that they'll be channeling those resources to help facilitate this program, and I would urge all suburban Legislators, and everyone else in this chamber, to vote for the measure."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Not more than an hour ago, the Speaker of this House told the Membership that we would devote from noon on to the state budget. This Bill would require the Department of Public Aid, alone, and a fiscal note indicates that it would require an additional 184 staff and have an administrative cost of \$5.4 million. We don't know what the cost to the Department of Public Health is, but we do know, for the Department of Employment Security, who (sic-which) takes federal dollars (and there are federal match dollars involved, and under the federal rules cannot engage in the registration of voters because federal dollars are used to fund that agency), currently in

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Illinois there are 30,000 people, 30,000 people, who can register voters. To require the additional expenditure of \$5.4 million plus what it costs Public Health and Employment Security, at this point in time, is a bad policy for the State of Illinois. It's bad policy until we have a budget. We don't know how much revenue we're going to have yet because we haven't addressed that problem. We don't know where the additional moneys are going to come from. And unless you're prepared to vote for a sizable tax increase to fund this program and all the other programs that have snuck through this General Assembly this year, you'd better be voting 'no' on this issue because it's a bad time to be spending more money, particularly when we know that there's a current budget hole to be filled. A 'no' vote is the right vote on this issue."

Speaker McPike: "Representative Stern, to close."

Stern: "Mr. Speaker, we have heard at some length from opponents and supporters on this. It is not often that I feel so wholeheartedly that I'm on the side of the angels with a Bill. I think this is a purely good Bill. Representative Kubik discussed how we are downsizing government, how we are asking employees to do more for less. This is a perfect example of that. He asks us to consider the philosophy of government. He asks us to consider the philosophy of these offices that we are asking to take on this extra chore. Government is the servant of the people, Ladies and Gentlemen. That is what we should remember when we are down here. Those people have to register before they can vote. If we are their servants, we should, indeed, make it as simple and uncomplicated as possible for them to become registered and participate in the system. Those departments that have filed these high fiscal impact

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statements are just plain wrong. They are indicating their reluctance to participate in this program for reasons that I find difficult to understand. We have an analysis of the cost. Staffing could be, maximum, \$150,000 annually. Training and supervision, maximum, \$30,000 annually. The systems design for the new form and computerization \$130,000 for the first year and then \$30,000 annually. The absolute maximum cost that we perceive for this legislation would be \$350,000. We have watched volunteer and not-for-profit groups such as MALDEF do a voter registration program at minimal cost, much less than what I am talking about here. This is excellent legislation, Ladies and Gentlemen. It is on the side of the people whom you represent, and I urge your 'aye' vote."

Speaker McPike: "Question is, 'Shall House Bill 3563 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Representative Matijeovich, to explain his vote. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 64 'ayes', 47 'noes'. House Bill 3563, having received a Constitutional Majority, is hereby declared passed. Could the Chair have your attention, please? Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Each year I have the pleasure of having my daughter, Lori, who is my oldest daughter, she is now 27, come down and visit us in Springfield for a day, tour the Capitol and spend some great time meeting the Members of the General Assembly. She's here with us today, and with her are her fellow-mates and roommates and residents of Bethshan Adult Care Facility from Palos Heights, Illinois, and they are in the back of the chamber, back here if you'd

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all wave, and could you welcome them to Springfield, Illinois? And, Mr. Speaker, as I said, this is my oldest daughter, Lori, and she's here once again. I think about the fifth trip. Is that right, Joe? Joe Lannigan. About the fifth trip to Springfield, and with your permission, she'd just like to say 'hello'. Is that all right? Okay."

Daniels, Lori: "Hello, and I want to thank you for coming. And thank you for having me. And (inaudible), thank you very much. Thank you very much."

Daniels: "Thank you, Mr. Speaker. Thank you very much."

Speaker McPike: "House Bill 2677. Representative Homer. Mr. Clerk, read the Bill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2677, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is a Bill that has gotten a lot of attention since it was filed last fall. It outlaws the conduct known as 'stalking', and I want to just briefly explain how I came to sponsor this Bill and introduce it last fall. I had a mother come to my office of a student at Western Illinois University...last summer telling me that they had just come from the State's Attorney's Office where they had made a complaint that the daughter had been followed, repeatedly harassed, by an ex-boyfriend and threatened, not only she, but her boyfriend, and the state's attorney's Office informed them that there was really nothing that they could do, under current law, until such time as the...person actually injured the daughter. They were horrified that was the status of the law in the State of Illinois, and as I sat there and listened to that, I began to search my thoughts about what kind of...as a former prosecutor, about

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what offense may be charged. And, I guess, with some creativity, the offense of disorderly conduct or something else could be made to stretch and apply to that conduct, but, clearly, there was nothing in the law that addressed that specific type of behavior. I asked our staff to do some research and found that, in fact, in California just last year, that they had become the first state to enact a Bill that specifically outlawed the conduct of stalking. Stalking is, according to this Bill, committed when a person transmits to another a threat which places the other person in apprehension of death, bodily harm, sexual assault, confinement or restraint, and when one or more of the following acts occur on at least on two occasions: The person follows the individual; or places the person under surveillance by remaining present outside the home, business, car or other location. We had hearings on this Bill before the House Judiciary Committee, and the Attorney General's Office also held hearings on the subject matter. I want to, very briefly, if you'll indulge me, relate to you the testimony of a few of the witnesses who appeared on this subject matter. First of all, there was Elizabeth Cohan of Springfield who, even after sevens, still trembles when she testifies and recounts the activities leading up the...to the shooting death of her boyfriend, Mark Vasconcelles, here in Springfield on the Sangamon State University campus, at the hands of a former elementary classmate who was diagnosed as a paranoid schizophrenic and who had stalked this young man for a period of years leading up to the time of his death. Then there was the testimony from my area, from a Lynette Barnes, whose sister in Peoria was a nurse at the Good Samaritan Nursing Home in East Peoria, and, less than week after she had moved out on

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her boyfriend, he had...and after he had threatened her repeatedly, disabled her automobile, threatened to kill her, did, in fact, show up at the nursing home and repeatedly stabbed Sandra Mason to death in the...in the course of her employment. Then, perhaps, the most compelling testimony was made just a few weeks ago at the Judiciary Committee, when Grace Beach of Elmhurst and Barbara Yurkovich of Orland Park sat together as the parents of two children who had been buried just in February. Their...Gace Beach's son, Glen, and Barbara Yurkovich's daughter were...Karen, were boyfriend and girlfriend, but there was this man by the name of Ken Kopeckni who was obsessed with Karen Yurkovich, and he continued to call her, threaten her and her boyfriend on repeated occasions. Finally, leading up to a late night in February when he appeared outside the home of Glen Beach in Elmhurst and gunned down both of these young, beautiful people in the prime of their life. Then, in March, there was a case up in Mt. Prospect of Connie Chainey who...whose husband had followed and harassed her for months leading up to the day in March of this year when he appeared at her place of business and shot her to death in Mt. Prospect. The list goes on and on. We could talk about Shirley Prudemy and Susan Pelletier of Libertyville whose ex-husband and ex-boyfriend murdered them last fall after stalking and threatening them. The common thread among these cases, Ladies and Gentlemen, is that - in nearly every one of these cases - is that the victim had complained to the police and reported the conduct of the perpetrator of this conduct to the police many times on numerous occasions (sic). And the police response was almost universal in each case: It was that 'Our hands are

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tied. There's no law in Illinois that makes a crime out of somebody verbally threatening and following you. We'll have to wait until something actually happens before we can do anything.' That's not good enough, Ladies and Gentlemen. We have a responsibility to the citizenry of this State to take on this menace known as stalking. That's what this Bill would purport to do. I'd like to thank Representative Daniels and his staff for working diligently on this measure to put it in a form together with our staff that makes this Bill, as it presently stands on Third Reading, the toughest and the most effective Bill on stalking in the entire nation, one that I firmly believe will become the model throughout the United States. The Bill, as I described it, creates the offense of stalking, which is a Class 4 felony, a second offense is a Class 3 felony. Aggravated stalking is stalking when one uses a deadly weapon or causes bodily harm, confines, restrains or sexually assaults the victim or violates a temporary restraining order in which case it would be a Class 3 felony the first time and a Class 2 felony thereafter. The Bill also provides for a pre-release procedure where before an individual charged with stalking or aggravated stalking would have to be taken before a judge who would conduct a hearing to determine whether it would be...safe to release this individual on bail (sic), the judge may hold the defendant without bail for up to 90 days if, in fact, the evidence is that the person would continue to pose a threat to any individual; and that no conditions of bail could adequately safeguard the safety of others. And, finally, the Bill has a provision in it that would allow the sentencing judge, after a conviction, to order the Prisoner Review Board to require the defendant to undergo mental

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health counselling and treatment upon release from prison under supervised release or parole. So a lot of thought has gone into this Bill. We've had the collaboration of attorneys, prosecutors, state's attorneys throughout this State. It's widely supported by all of the known victim advocate groups in law enforcement agencies. And what it will do is provide a tool to law enforcement agencies that will allow them to the opportunity to save and protect some of these victims before it is too late. We simply have to act. We have to act now. It's not good enough that we tell our citizens, 'You have to wait until you're murdered or injured before the law enforcement agencies can assist you,' when there's a known person who has a serious mental disturbance who is threatening your life and following and harassing you. It's time to put a stop to that conduct. This Bill will help do that. And, again, I thank all of the Co-Sponsors - in particular, Representative Daniels and although he did not ask to do so, I would defer closing to Representative Daniels on the Bill."

Speaker McPike: "Representative Daniels, did you wish to speak on this?"

Daniels: "I was going to close if anyone else wanted to..."

Speaker McPike: "Does anyone rise in opposition to the Bill? Representative Williams."

Williams: "A couple of questions. First of all, is Amendment #4 the Bill?"

Speaker McPike: "Mr. Homer."

Homer: "Yes."

Williams: "Okay, the question because...and I'm questioning because I believe all the good things you said, but, also, I believe that this can be an abused piece of legislation. My first question becomes, if a person causes...cause this

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is a person commits stalking (sic) when he or she knowingly transmits to another person a threat which pressures that person in reasonable apprehension of death, bodily harm or sexual assault. That reasonable apprehension and that threat, must it be immediately connected with one of the other two causes that you have listed: following the person or placing that person under surveillance? Can there be a gap in time? If I threatened you two months ago, three years ago, and then I later am seen or at least believed to be seen following the person, is that considered stalking? Is there some sort of reasonable cut-off time period in this particular piece of legislation?"

Homer: "That issue is not specifically addressed in the text of the Bill. However, I would refer you to the statute of limitations pertaining to all felony cases of three years. For purpose of legislative intent, it would be my view that, while there is no specific time period that would cut off the conduct, it certainly must be part of a continuous course of conduct, and related...and the facts must be related one to the other. But I would leave that to the trier of fact, the judge or the jury, to determine whether...whether it is a continuous course of conduct or whether it is interrupted in two separate and distinct courses of conduct."

Williams: "Secondly, as it relates to the...Let's say...private investigators, is there any sort of exemption here, particularly as it relates to the question of places a person under surveillance? Is there any sort of exemption that might, in some way or another, allow for a private investigator to continue with his profession?"

Homer: "Well, the...one of the material elements of the offense, Representative Williams, is that the person knowingly

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transmits to another a threat which places that person in apprehension of death, bodily harm, sexual assault, confinement or restraint. So, unless a private detective were to transmit such a threat, they would have no cause for concern about this Bill."

Williams: "Okay. As it relates to the denial of bail in this particular piece of legislation, because I haven't read the Amendment carefully enough at this point, could you...in some brief fashion, explain to me what is the difference between...because this denial of bail is quite a (sic - an) extensive list of, I guess, of qualifications and extensions of the Constitutional Amendment which we have in Illinois which deals with a regular set of factors for the denial of bail. Does this particular Amendment extend that or in some way or another tend to cut short the basic rights that an individual might have in a normal situation where bail might (sic be) denied it if a person is put under...if he put...as I understand the Constitution, it says that if he puts another person or community in threat of harm that person can be denied bail? What does this particular Amendment do in regards to extending that particular or at least does it reduce that protection in any way?"

Homer: "The purpose of the provision dealing with the pre-release bail hearing, that language is modeled after language that's already in the statute pertaining to those charged with murder and Class X felonies or, rather, those non-probational (sic probational) offenses. This language mirrors, almost identically, that text of the current statute. The reason why this element of the Bill is so vital is that there is a concern on the part of stalking victims that if they - even if there is an offense of

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stalking on the books - that if they should make complaint or report the person to a police agency, that they will be subject to retaliation by the stalker upon their release from custody. And so to provide some degree of protection to the victims and to encourage their prosecution of this conduct, this is a vital element of the Bill which provides them with a protection in the form of a judge who would have to make some findings before establishing bail in the case. But, again, this language is borrowed from existing law."

Williams: "Does the Bill provide for an individual who is to be charged with this particular crime of stalking to have any...prior comment or request to cease and desist or to do anything prior to the actual being charged with this particular crime? Does the police or does the State have any obligation to at least tell this individual that if he continues with a certain type of activity, it is potentially possible (sic) that he will be charged with the crime of stalking?"

Homer: "Representative Williams, owing to the nature of those who have...who would have a propensity to commit stalking, most authorities determine that these individuals are suffering from form of mental disturbance, all the way from psychopathic killers to schizophrenic paranoids. And I think that to suggest that somehow these people are going to be halted from their conduct by some warning or that that should be a predicate to the filing of a charge would undermine the...the ability of law enforcement officials to use this as an effective tool. In a number of the cases that I talked about with witnesses, in at least more than one of those, after the perpetrator killed the victim, the perpetrator then killed himself. And so I would submit

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that such a person, in such a deranged state of emotional instability, would not be a candidate for some sort of slap on the wrist or some sort of predicate to the filing of a charge of stalking designed to protect victims."

Williams: "In some of the cases that you did mention, were not prior to that individual actually doing something...To the Bill, I reluctantly rise to at least give some degree of opposition to the legislation, because I believe that we, in Illinois, or we, in general, as a community must be cognizant of the fact that...It reminds me even though...This is a hard Bill to oppose. Let me put it this way...Let me start off by saying I commend the Sponsor for his work. But I must state that, in my own opinion, without some prior ability to tell the individual or some cease and desist order being at least tried to administer, an individual being told that if he continues with any sort of activity that might amount to stalking, that, in fact, we allow for a lot of potential situations, particularly in what I would call domestic relationships where individuals might utilize this particular Bill and this particular offense, because I'm not certain, exactly, what is the level of proof that the charging party must present. Is it based upon the accusation alone that the individual has been stalking me? That he has threatened me? Has he been given an opportunity to be told that he should not make those type of comments to the individual person who's claiming to be stalked that he should never again go around that individual? That he should try to restrain from being involved with that individual? That, in fact, we leave ourselves open for an abuse? In many relationships where an individual will use this particular law to try to get back at someone that they happen to be having a particular

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feud with? So, with no further comment, I would just like to say that we need to be careful - just like in the City of Chicago they're presently talking about an anti-gang law that says two people can't stand together - we need to be careful here. And, one of my reasons for opposition, I just haven't had an opportunity to really review this Bill. And, until I do, I feel uncomfortable voting for this type of legislation at this time."

Speaker McPike: "Representative Martinez."

Martinez: "Thank you, Mr. Speaker, Ladies and Gentlemen of this House. I stand in complete support of this measure, and I commend Representative Homer for taking this stand. Coming from a neighborhood where this type of crime is common, in addition to the high rate of crime, you can understand why I...I support this measure wholeheartedly. I think this measure deserves bi-partisan support, and I urge you to send a message out to these people that have done this type of crime or those that are considering it that they be aware that the public is no longer going to be complacent about this. I urge 118 votes up there. Thank you, Mr. Speaker."

Speaker McPike: "Representative Manny Hoffman."

Hoffman, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen. I stand in support. Let me tell you something. My wife serves on the board of the Family Crisis Center in Hazelcrest, and I serve on the crisis center in Tinley Park. And, believe me, there are stories out there of women that are having real problems that cannot get any help. The Chicago Tribune recently ran a headline that said, 'Living in Fear: When Women are Stalked'. And the state of Florida, just in March, passed the same type of law. I think it's important for us all to send the message

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that we are behind these people, that they're not alone, and we're here to help 'em. And I stand in support of Representative Homer's Bill. Thank you."

Speaker McPike: "Representative Daniels, to close."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Before us, in House Bill 2677, we have, in Illinois, an opportunity to place on the law a most important piece of legislation. Representative Homer started on this Bill in October. My involvement became effective in February of this year when, unfortunately, two people were gunned down in the driveway of an Elmhurst residential home by a stalker who then went and took his own life. To the Beach family, those of us in Illinois owe a great deal. To the Yurkovich family, we owe a great deal, because they didn't stop at the loss. They insisted that something be done for all of Illinois, for all potential future victims of the crime that we now know is being defined as stalking. In the United States alone, in the past year, there's been over 46 hundred cases of reporting stalking incidences within the United States of America. On the increase, has been this most heinous of all crimes. And I will tell you now that, yes, in response to some of the speakers that we've heard previously, this is a tough law. It's meant to be tough. It's meant to send a signal to people that are engaged in the efforts of threatening others and then following up with that threat by placing them under surveillance, or restraining them, or writing additional threatening letters on more than one occasions (sic), and on two separate occasions, that these people will be charged with the offense of stalking. That it is a felony charge. That before they are released on bail, they will go before a judge to determine whether or

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not they need to be subjected to mental treatment as the case may be so that the public is protected by (sic-from) some of these people that (sic-who) are engaged in the crime of stalking. I think that we have before us a Bill now, that when it goes to the Senate, we could quickly act on and send to the Governor so that the message is sent out, 'Illinois will not tolerate the stalking crime ever, ever again.' And I solicit your favorable support, and I thank Representative Homer for his excellent work and cooperation on this most important legislation."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 114 'ayes', no 'nays'. House Bill 2677, having received a Constitutional Majority, is hereby declared passed. It is now 12:10. The Republicans will have a Caucus immediately in Room 118. Democrats will have a Caucus immediately in Room 114. We will plan to get back on the floor at 1:15, and we will go to Appropriations Bills, Second Reading, and we will remain on that Order of Business until we have finished with all the Appropriations Bills, and that will probably be the rest of the day. This House stands at ease."

Speaker McPike: "The House will come to order. Appropriations Bills. Second Reading, appears House Bill 3125. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3125, a Bill for an Act making Appropriations to the State Board of Elections. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Representative Hannig. Just a minute, excuse me. Any floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative

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Hannig."

Speaker McPike: "Representative Hannig."

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

We know that there's only two ways that we can balance this budget that we have before us. One of those ways is to raise taxes. Now, we looked at that issue a little bit earlier this morning and there seem to be no consensus for raising taxes. The proposal that the Governor put in this budget as part of his plan called for us to raise these taxes in order to make this balance...this budget balance, but that proposal was defeated overwhelmingly today and so our only option available in order to send the Governor a balanced budget at the end of this fiscal year is for us to further cut spending, to cut spending below the levels that the Governor has introduced these Bills at. So, House Amendment #1 would provide that we reduce the operations of the State Board of Elections by an additional \$2 million. We do this by cutting personal services by \$1 million by reducing some of the lump sum items in the budget to reduce new contracts...contractual services by 50%, travel by 50%, commodities by 50%, printing by 50%, telecommunication and all the way down the line. It's my opinion that if we can put these Amendments on here today and send this budget over to the Senate at this reduced level, if we can take the Senate Bills and cut them as necessary, we can put a Governor...we can put a budget on the Governor's desk on June 30th and we can get out of here having said, that we've done our business and we've lived up to our responsibilities. It's May 20th. It's time for the Legislature to start making some of the hard votes that we have to make in this Body, and I'm asking you to...accept Amendment #1 to the State Board of Elections Bill as our

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first cut of the day."

Speaker McPike: "On the adoption of the Amendment, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I...just a couple of points. I think the board is incorrect. It's not the State Board of Education. I think it's the State Board of Elections. Isn't that right, Representative Hannig."

Hannig: "That's correct."

Ryder: "All right. With the indulgence of the Chair allow me to make a couple of comments that relate to this Amendment and this Bill. We stand ready to work this afternoon and beyond to craft a budget. We understand what took place this morning. We understand that we have to make tough decisions. I'm not suggesting that the Republicans are going to agree with every one of the Democratic Amendments. I don't think that we will. We are standing ready this afternoon to do the work, to ask the questions, to understand the cuts, to determine the consequences, so that we can proceed with our obligation as Representatives to craft the budget within the revenue that is developed here. I would simply ask the Chair and the Members of the Assembly to bear with us in patience. We're going to be asking questions about what these Amendments mean. We haven't had the greatest amount of time in which to determine all that's been done, so with that indulgence allow me to simply thank Representative Hannig for the cooperative attitude with which he is beginning the proceedings this afternoon, and my thanks to the Chair."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative Hannig... before... I would like to say a

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personal message to Representative Hannig. We have worked as Chair and spokes (sic-spokesman) in the General Services Appropriations Committee this Spring, and it's been a good working relationship. I think we both appreciate that fact and I would...told Representative Hannig (before we started here a while ago) that if he'd pitch them over kind of easy this afternoon, I'd toss them back. So, Gary, here we go. The cut is 15.4% below the Governor's requested level. That's correct, isn't it?"

Hannig: "I take your word for it..."

Olson: "All right. But being 15.4% below the Governor's requested level, the requested level, was, let's see, it was 22% increase over last year. So, we're looking at almost a, 22, that's a 37% reduction, and my notes also say that there's no reduction in the judges' pay in this Bill, this Amendment. In that...in that light, if we're not cutting anything in the judges paychecks, and we're looking at 37% cut overall, and...what...'what will be the impact on the operation of the State Board of Elections this year?' They have, I believe this is a three-election year, is it not? Won't this be a tough row for them to hoe?"

Hannig: "Could you repeat that question, Representative? I'm having a hard time hearing you."

Olson: "Yes. We're looking at a 37% cut in the requested...of the agency, in the agencies introduced over last year's...under last year's operations. And none of this cut is going to go into the money that is paid to the judges out in the polling place, so this all has to come out of the State Board of Elections operations, and, can they do that in this year when we have, fiscal year, when I believe we have three elections?"

Hannig: "Representative, in order to cut the election judges'

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reimbursement, we would have to pass a substantive piece of legislation. At this time there are no Bills that are available, are there no Bills that are out there to do that. If at some point we pass a substantive Bill to do that, obviously, we will make the Appropriation Bill reflect those changes, but at this point there are no proposals, at least of this nature, that I am aware of."

Olson: "And if there are no proposals forthcoming, then can the State Board of Elections itself, the operating agency, can they take these cuts, do you think? Can they work with this?"

Hannig: "Well, Representative, I talked to the Director this morning and, obviously, no one is going to be happy with any kind of cuts in their budget. We see this everyday when we go to committee. Every agency comes in and says, 'Yes, I know we've got a budget crisis; yes, I know we have to cut, but, please, please don't cut us.' But we have to cut someone, and, obviously, we have to cut...we have to start. This is the first Bill, and we've proposed that Amendment. We will ask the director to try to allocate his resources. And if he has some suggestions along the line, we will be happy to work with him, but these are why these directors get paid the big bucks: They have to make these agencies work, and I think that the State Board of Elections can make this budget work."

Olson: "Thank you, Representative. I would only say that these cuts seem severe when we go 37% below last year's estimated expenses. Thank you."

Speaker McPike: "Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Hultgren: "Gary, I have a series of questions, and I think it

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applies to each of the Bills, or at least each of the Amendments that I've had an opportunity to review so far. And maybe if we can go through it once, it will answer it for all of the Amendments you intend to propose this afternoon. With regard to the specific Amendment before us, it appears to me that you have proposed a reduction in the appropriation for the State Employees Retirement System, for the employees of this agency. Am I reading that correctly?"

Hannig: "When we cut the personal service line items, in other words we reduce salary, then we reduce the corresponding amount of Social Security or pension or any of those things that are tied directly to those salaries. So, yes, when we cut one part of the salaries, we cut all the benefits that are directly related to that."

Hultgren: "If I can, just so that I don't have to ask this for each of the Amendments, was that the procedure followed with each of the Amendments that you intend to offer today with respect to the Retirement Appropriation?"

Hannig: "To the best of my knowledge, this procedure was used in all the Amendments that I will offer. When we reduce personal services, and there was a direct correlation between any of the benefits, whether it be pension or health care or Social Security or anything, we reduced that accordingly. There is a mathematical relationship between these things."

Hultgren: "So, then, it would be fair to say that the percentage of pending, the percentage of pension funding remains the same, both before and after the Amendment, since you have decreased the personal services line, then the decrease in the pension line doesn't change the percentage of pension funding. Is that fair?"

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Hannig: "Yes, it's a corresponding mathematical relationship."

Hultgren: "And at least so far as the Amendment that you're offering today, that would be true with each of those Amendments?"

Hannig: "Yes, I believe that's true, and if someone finds it to the contrary, I will be happy to try to correct it."

Hultgren: "Thank you very much."

Speaker McPike: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Hannig, you stated that this is 15% cut. Am I correct?"

Hannig: "I think your side came up with some figures, and I told Representative Olson, without having the information in front of me, that he may be very well correct, but the Amendment itself reduces general revenue by \$2,075,354 from the introduced level. There were no Amendments put on in committee."

Hasara: "Okay, I am looking at a sheet that was handed out by your side of the aisle that shows that this, in fact, is a 43.9% cut from the Governor's introduced 93 level. Am I correct?"

Hannig: "Yes, I have that sheet now, and that's exactly what it says."

Hasara: "Okay, so it is significantly more than a 15% cut. Correct?"

Hannig: "Forty three percent is larger than 15%. That's correct."

Hasara: "Okay. Thank you."

Speaker McPike: "Representative Balanoff."

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House. I'd like everybody to join me in welcoming former State Representative and State Senator, and a friend and former

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neighbor of mine, the Honorable Sam Maragos. He's over here, talking with Speaker Madigan."

Speaker McPike: "Representative Monique Davis."

Davis: "Thank you, Mr. Speaker. I would just like everyone to say hello to the beautiful school, Scott Joplin, up in the balcony. Do you want to wave, kids? How are you doing? Thank you for coming."

Speaker McPike: "The Chair hopes there are no more introductions from, for people in the balcony because we have a very busy day. Representative Hannig, to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the chamber. As I said when I started the debate, basically, this Body must either raise taxes or cut spending. It's obvious by this morning's vote that it was not our intention to raise taxes. So, it must now be our intention, and it must be our job today, to cut these budgets below what the Governor has recommended. Now, this is a significant downsizing of this agency. We've heard the Governor talk about downsizing; now we're going to show him how to significantly downsize agencies as well. This Amendment will save \$2 million in general revenue. It will put the agency down to a level that we believe, is appropriate, and I'd ask for your 'yes' vote."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Woolard, to explain his vote."

Woolard: "Thank you, Mr. Speaker. I'd like for this statement to reflect my intent on each of the Appropriations Amendments that we'll be looking at as we proceed through this process. I'll only say it once. It's not fun; it's tough.

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More importantly, it's really tough. I must find ways to balance the budget, and I believe that you join with me in doing that, and the vote reflects this. We're going to have to continue to look for ways to solve the problems of this state. I positively believe that cutting is not the real answer, but we have spoken. We voted earlier today to not increase taxes. I believe that there are some other alternatives there. I believe that a progressive income tax would be a real answer. I stand with my colleagues in trying to address this problem effectively. My vote will continue to be 'yes', even though it's tough. I believe that each and every one of you are going to have to address this issue in a fair and equitable fashion. I know it's difficult, but these are tough times."

Speaker McPike: "On this Amendment, there are 112 voting 'aye' and 3 voting 'no' and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3182. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3182, a Bill for an Act making appropriations to the Supreme Court. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Saltsman."

Speaker McPike: "Representative Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. This Amendment was here last year, and we voted for it. This is elimination of the cab drivers for the Supreme Court Justices, and our Supreme Court Chief Justice has never hired one, so the other six could get along without 'em, too. They haven't submitted

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any reduction in their budget, so I'm going to vote against their whole budget, and I'm going to withdraw this Amendment, hoping that my friends from the other side of the aisle will vote 'no' and make them come back with the cuts like the rest of these agencies are. I withdraw Amendment #1 and will be voting opposing the complete budget."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Ryder."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This reduces the Supreme Court to the Governor's introduced level."

Speaker McPike: "Mr. Ryder, would you repeat that?"

Ryder: "I said, it reduces the appropriation for the Supreme Court to the Governor's introduced level."

Speaker McPike: "Is there any discussion of the Amendment? Being none, the question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 115 'ayes' and no 'nays'. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3199. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3199, a Bill for an Act making appropriations for the ordinary and contingent expense for the Office of State Treasurer. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative

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Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This is an Amendment that Treasurer Quinn has given to us and asked us to introduce on his behalf, and it makes total reductions in GRF of \$318,200, and puts him in compliance with the Governor's level. I would be happy to answer any questions, and I'd ask for a 'yes' vote."

Speaker McPike: "The question is, 'Shall this Amendment be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 112 'ayes' and no 'nays'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Olson."

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker. Floor Amendment #2 takes this, the Treasurer's appropriation request, down to the level of the Governor's budget. That's roughly \$5,400 more than the Amendment we just passed. It's a further reduction of \$5,400."

Speaker McPike: "Representative Hannig."

Hannig: "Will the Sponsor yield for questions?"

Speaker McPike: "Yes."

Olson: "Yes."

Hannig: "Representative, in what, what area does your budget...does your Amendment differ from the Amendment we just adopted?"

Olson: "Representative, this takes \$5,400 more from the EDP line, a further reduction. Otherwise, the Bill is the same as yours."

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Hannig: "We'll accept the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 118 'ayes', no 'nays'. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3443. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3443, a Bill for an Act making appropriations to the Attorney General. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Representative Hannig. Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Olson."

Speaker McPike: "Representative Olson. Representative Olson."

Olson: "Thank you, Mr. Speaker. Floor Amendment #2 reduces this appropriation down to the Governor's recommended level."

Speaker McPike: "This is Amendment #1."

Olson: "Excuse me. Amendment #1."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, will the Sponsor yield?"

Speaker McPike: "Yes."

Hannig: "Representative, first of all, might I ask, 'Do you have a similar Amendment for the Secretary of State that you can help us with?'"

Olson: "The answer would be no."

Hannig: "I thought, Representative, that we had somewhat of an understanding that we would allow the Constitutional Officers to be debated in a different arena. Is that not correct?"

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Olson: "Would you repeat that, Gary?"

Hannig: "Yes. I thought it was our understanding, you and I, as we spoke earlier as the Chairman and the Minority spokesman, that the budget for the Constitutional Officers would be allowed to move to Third Reading without Amendments. Is that not correct?"

Olson: "I think that, Gary, I would have to say since 1:00 or so that I have been overruled in that statement."

Hannig: "Well, Mr. Speaker and Members of the House, I find myself in a little bit of a bind on this Amendment, in that while I, certainly, agree with what the Sponsor is trying to do, I thought we had an understanding from both sides of the aisle that the Attorney General's Amendment Bill, which is 3million and some thousand dollars over budget, and the Secretary of State, which is nearly \$10 million over budget, both would be debated on Third Reading, unless those individuals had Amendments that they wish to offer to this Body as the Treasurer just did. Certainly, I would not urge anyone in this chamber who feels that we need to make the cuts to those Bills to do so, but I would simply point out to both sides of the aisle, that we've extended this courtesy to the Secretary of State. We are not offering any Amendments to that Bill at this time, and I think that we should act accordingly on this side of the aisle and hope that those individuals...would be so kind as to work with us, as they had promised that they would."

Speaker McPike: "Let's take this Bill out of the record for the present time. The next Bill is House Bill 3537. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3537, a Bill for an Act making appropriations for the ordinary and continuing expense of the Department of Insurance. Second Reading of the Bill."

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No committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Withdraw."

Speaker McPike: "Withdraws? Amendment #1. Further Amendments."

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

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

You know, sometimes when I go back to my district, people ask me, 'What's really going on in state government?' I say, 'There's a budget crisis in state government, and we're doing our best to balance the budget.' But the people back home say, 'You know, you folks in Springfield, you just don't get it. You've got more people going on the state payroll all the time, you're building buildings all the time. You don't really have a budget crisis up there. It's just business as usual.' Now here's an agency that has come in to our committee and they've asked us for 44 new positions, the Department of Insurance. And I say, that even though this money is not GRF, I say that it's not really in the spirit of what we're trying to do here today, which is to reduce budgets, that we should allow any agency out of here today with increases in employees. So this Amendment would simply strip away everything that the agency added to their budget over last year's level and put us back at last year's...at a level that does not include the 44 new positions. It also makes reductions in contractual; it makes reductions with the pensions that are appropriate; and, basically, is a total reduction of

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\$3,105,000. It also strikes out the last \$535,000 of GRF money that is in this budget. So I would say, if you think that there is a budget crisis, and you think that all agencies should live according to that, according to that problem, or live with that problem, that should be no exceptions, that there should not be new buildings, that there should not be new people going to work for the State of Illinois under these circumstances, then vote 'yes' on this Amendment."

Speaker McPike: "Representative Olson."

Olson: "Will the speaker yield?"

Speaker McPike: "Yes."

Olson: "Representative Hannig, there's several new positions that were proposed that you're cutting. Is that correct?"

Hannig: "I'm sorry, what was the question?"

Olson: "You're cutting 44 new positions. That's correct, isn't it?"

Hannig: "Yes, the director had came to our agency and asked for 44 new positions, and we are saying by this Amendment that there'll be no new positions."

Olson: "Now those were non-GRF, if I recall."

Hannig: "Yes, those are non-GRF moneys. But my point is, is that how can we say there is a budget crisis and then have 44 people go to work for this agency and 80 go to work for that agency and 100 go to work for some other agency. I don't think it makes any sense. If we have a budget crisis, we all have a budget crisis, and all budgets should be in a crisis situation."

Olson: "I agree with your premise 100%, but wasn't there...there was (sic were) new fees being assessed upon members of the insurance industry to fund this division. Are those fees still going to be collected then?"

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Hannig: "Well, this Appropriation Bill would not change any statutory language as far as collection of fees for any of the agencies. So, whatever fees are, by law, would be continued to be collected by law."

Olson: "And they will go into a so-called dedicated fund, then?"

Hannig: "Yes, that is correct, Representative, but I would point out that last year, in a budget crisis we allowed the Governor to raid some of these dedicated funds."

Olson: "Ahh, that's the point I was wanting you to bring out, that they could be raided then for the insurance industry's fees to this fund are a potential thing to hit upon for General Revenue Funds at a later time. Another point..."

Hannig: "Only if we would pass substantive legislation. We did that last year. We could do it again this year, but you're correct."

Olson: "Was there an agreement between the State of Illinois through this agency and the people paying these fees that they would be used for this purpose?"

Hannig: "Well, we passed a substantive Bill, and I suppose that the understanding, in general, as it is with most dedicated agencies...funds, is that those moneys will be used for some purpose by the state to regulate or enhance that industry."

Olson: "Were these fees going to anything that was going to be used for accreditation purposes, national accreditation purposes. Will it endanger their accreditation?"

Hannig: "Well, Representative, as I stated earlier, we will still be providing the director, even if this Amendment is adopted and ultimately passed, with \$14 million, 719...yeah, \$14,719,400, which is a 6% increase over what they got last year. Now I'm saying that I think that the director ought to be able to live within that."

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Olson: "Okay, I would just make a point that I am told this will endanger accreditation and that might be an issue that will come back to haunt the Sponsor of the Amendment. Also, I believe that you've eliminated \$535,000 from the pension fund. That's what Amendment #1 was to do that you withdrew."

Hannig: "That is from the pension division."

Olson: "Yeah, that's...for the pension division, excuse me."

Hannig: "And that is GRF money. That is GRF money."

Olson: "Now, Amendment #2 does...It does the same thing you've..."

Hannig: "Amendment #1, I believe, was out of order, but Amendment #2 does substantially the same thing, only it's in order."

Olson: "So it also includes this \$535,000 of pension fund that is not...that is not funded. The pension division is not funded."

Hannig: "The pension division, these high-priced people who tell us what we already know about the pensions."

Olson: "So that...so that you...Did you intend to let that stand in Amendment #2? The elimination of the pension division?"

Hannig: "Yes, we're trying to downsize state government, and this is actually one part of this budget that is GRF that we feel we can save."

Olson: "Thank you."

Speaker McPike: "Representative Ryder."

Ryder: "Would the Sponsor yield?"

Speaker McPike: "Yes."

Ryder: "Thank you, Speaker. Representative, I draw your attention to page 3, lines 18, 19 and 20. Are you with me, Representative Hannig?"

Hannig: "I believe..."

Ryder: "Lines 18, 19 and 20 on page 3 indicates in the line

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appropriated for personal services insurance producer administration fund?"

Hannig: "Yes. Okay, I'm with you."

Ryder: "All right. My understanding is that you previously made that reduction on another page and that is incorrect. It should be...for refunds. So, I think that that part of your Bill...your Amendment, is technically out of order, or, excuse me, technically incorrect."

Hannig: "Well, Representative, I know that the staff on our side of the aisle has worked very hard to try to put these Amendments together and worked late into the night and perhaps that is why we were a little bit late with giving you some of these Amendments. But nevertheless, while that may be correct or incorrect, I would still stand with this Amendment which I think does do substantially what I want it to do, and if there is a problem, we will correct it in the Senate."

Ryder: "Well, Representative, I...in the rush to...to judgment on these Amendments, what I might ask, if it's acceptable to you, would you mind if we took this Bill out of the record and conferred with your staff to determine whether we're correct or you're correct so that we might at least agree if the problem exists? If you persist...I'd be glad to come back to the Bill later or to recall it. We're attempting to cooperate, not to prolong it."

Hannig: "Representative, I would prefer that we go with the Amendment at this time."

Ryder: "Well, my problem is that I'm...while we might have otherwise been in favor of the Amendment, when we think that it's got a problem with it, we may not be able to support you on the Amendment or, ultimately, on the Bill for that reason. We would like to be to cooperate with you

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when we find errors. Your staff did work very hard, and your staff did work very late. We would like to be able to cooperate by suggesting where these things are out of order. If that doesn't work into your game plan, as we're rushing to try to do this, then please understand our opposition or lack thereof may not be on the substance, but rather the procedure, and that causes me some concerns."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Chairman and Members of the...of the House. These 40 positions were done for a reason. The insurance industry wishes to police itself in a time of unstable financial conditions. If one more of these insurance companies fails, this could start a domino effect. These positions are extremely important, and we're not going to just willy-nilly. There is a definite need to police the insurance industry at this particular time, and they know it, and they want it, and they're willing to pay for it."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 73 'ayes', and 10 'noes'. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3538. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3538, a Bill for an Act making appropriations for the ordinary and contingent expense of the Lieutenant Governor. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3539. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3539, a Bill for an Act making appropriations for the ordinary and contingent expenses for the Office of the Governor. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Olson."

Speaker McPike: "Representative Olson. Mr. Olson."

Olson: "Yes, thank you, Mr. Speaker. Floor Amendment #1 provides for a change in a funding source in a grant line in the Governor's budget. If I recall, that was money that was to come out of the GRF fund, and they have since found a private source to fund that line item. So it makes no change in the dollars, just in a funding source."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3540. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3540, a Bill for an Act making appropriations for the ordinary and contingent expense of the Office of the Department of Energy and Natural Resources. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

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Speaker McPike: "Representative Hannig."

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

This is another Amendment that I am offering to reduce General Revenue Fund by \$1,376,700. We eliminate some personal services; we got into the contractual travel commodities, equipment printing and EDP line items and cut them by 50%. We further went in and reduced all the vacancies. We stripped all the add-ons that the Governor had put in the budget. And, oh, Mr. Speaker, I need to withdraw #1."

Speaker McPike: "Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. I think I have substantially described Amendment #2 as I inadvertently talked about Amendment #1. The bottom line is, it reduces the General Revenue Fund Appropriation for this agency by an additional \$1,376,700, and I'd move for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' Correction, the question is, 'Shall Amendment #2 be adopted?' Representative Olson."

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

Speaker McPike: "Yes."

Olson: "The pension pick up, reduced 69%. Can you explain that to me, Representative?"

Hannig: "Yes, we used the CMS guideline as to what percentage of a given salary, or of salaries that pensions should be. So there is a mathematical relationship, as you reduce employees, obviously, not only do you reduce salaries, but you reduce the pension liability that the agency has."

Olson: "What percent...What was the number of employees, the

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staff reduction, Representative, both in number and percent?"

Hannig: "Well, I know that we eliminated the 18 vacancies and that's, throughout the agencies and all the departments, and I think that's the primarily (sic-primary) reduction in personal services. Then we also went in and eliminated the deputy director position, since this was the lady who wasn't even coming to work...eliminated, and we had a 5% reduction among \$36,000, and we eliminated the merit comp of \$28,600 for total personal services reduction of about \$172,200..."

Olson: "Mr. Speaker, I can't hear a word he said. Mr. Speaker, could we have some quiet.?"

Speaker McPike: "There's too many people in the center aisle; that's one of the problems. So, let's clear the center aisle. Mr. Hannig."

Hannig: "Do you want me to repeat that, Representative?"

Speaker McPike: "Yes."

Olson: "Please, if you will."

Hannig: "In the general office reductions, we eliminated a total of \$172,200 in personal services. Then we went into the related, okay, we're just talking about personal services. So then we went into the various divisions, for example, in the hazardous waste. We cut the vacancies which amounted to \$45,000. In Section 7 of the Bill, we reduced personal services by 5%, that's a reduction of \$207,800. Natural History, we cut the vacancies for \$122,900. Water Survey, we cut the vacancies for \$112,800. And the Museums we cut the vacancies, \$114,300."

Olson: "In total head count then we're cut..."

Hannig: "Well, we eliminated the 18 vacancies."

Olson: "I understand that."

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Hannig: "And then we did not fund the deputy director's position.

And then there was a further 5% reduction, at least in the personal services of the general office, which may or may not be a reduction for that agency. And the pension..."

Speaker McPike: "Any further questions?"

Olson: "I...no further questions."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. While in general, I approve with what the Appropriations Committees, have tried to do with the state agencies, I think that there is, in fact, a problem in this agency because of the extreme reductions that had already occurred through the Governor's budget level, and while it may appear that there are vacancies in the state surveys, I think that there really are not vacancies after you consider that between the surveys and the hazardous waste center, there will be a 60-head count reduction under the Governor's budget. And, while I know that the program is going to move forward today in this form, I really urge members of the Appropriations Committee to take another look at what is happening in this agency because I fear that our state surveys will be reduced to the point where they will not be able to do the services that they are required to do throughout the State of Illinois. These are agencies that have great national, as well as state, respect, and I fear that we would be handicapping them beyond their capacity to do what they are required to do. And, so, even though I realize today this Amendment is probably going on, I am urging a second look at the impact on these agencies."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the Legislature. I'd just like to follow up on what the previous speaker

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commented on that much of the studies and research that is going on in this area is something that is national in respect, something that cannot really be duplicated, but needs to be continued, and I think we need to take a second look at really putting the bite into some of these programs that are extremely important to our environment and to our daily lives, and I would certainly hope that even though this may go on now, that strong consideration should be placed in the status of the research that we are doing here in the State of Illinois."

Speaker McPike: "Representative Johnson."

Johnson: "I'm not sure that the Sponsor...or...of the Amendment or the Members realize what a dramatic and devastating cut this would inflict on the surveys. The Governor's budget alone creates substantial problems, but at least puts the surveys in a situation where they can exist, survive. This cut would be more than to the bone. It would be destructive of the lifeblood of three surveys who not only provide jobs, but, more importantly, provide services for the private and public sector all around the State of Illinois that's absolutely invaluable. I know Representative Satterthwaite and myself and others have had the opportunity over the years to tour and become familiar with what the surveys do, and the services that they provide from Cairo to Galena is something that we just simply can't afford to do without. If government exists for any reason at all, it exists to do the things that are being cut in, to some extent, by the basic underlying budget proposal and, certainly, by this Amendment. You're going to find constituents that you never knew you had that are going to be dramatically impacted if this Amendment is able to perpetuate itself. So, I really urge, as

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Representative Satterthwaite and Representative Ropp have already said, that the Members of this chamber would take a look to see what we're doing and realizing what we're doing is destructive to the reason that we're here at all."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. In this situation, as much as we may wish to cooperate on the Amendment that is offered, I would suggest to you that it is technically flawed, there is a problem here with the pension amounts, concerning the employees that would not be funded. More importantly, I cannot agree with the way that the cuts are made. We agree there needs to be cuts. Some of them we agree with, but in this situation, we are not able to vote in favor of this Bill, excuse me, this Amendment, in fact I'll vote against the Amendment simply because it's flawed, it's taking from areas that I don't think it should, and I believe that we can do a better job of achieving these kinds of cuts with a different program. Unfortunately, because of the time, we're not here, our Amendment's not filed, but we intend to work it through to do a better job of what this Amendment is intending to do."

Speaker McPike: "Representative Hannig, to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Today, we deal with appropriations, and while some of the Amendments may or may not have some technical problems, we are going to go with these Amendments because this is our time. We can't expect to have the leadership rolling these Bills back and forth on Thursday and Friday in order to accommodate our...our Amendments. So this Amendment would provide for an additional cut in the Department of Energy and Natural Resources of \$1,376,700. Now we've heard

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parochial interests from the University of Illinois, stand up, and, I suppose, rightfully so, say that they're opposed to cutting positions that are in Champaign at the university. But let me tell you, Ladies and Gentlemen, that last year and again this year, this budget does deal out pain to people in this state, but we have to make those tough cuts. That's what we're paid to do. That's what our job is to do. If we don't make these cuts today, we'll be here making these cuts on July 15th. So I would suggest that we make these cuts today, that we swallow hard on some of these, and do what we know we have to do, and get on with the process. I urge your 'yes' vote."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 67 'ayes', 46 'noes'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3541. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3541, a Bill for an Act making appropriations for the ordinary and contingent expense of the Department of Financial Institutions. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This would reduce this agency by \$2,959,400. It's an approximately 20% reduction from the, from the level that the Governor introduced this budget. Again, we on this

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side of the aisle, feel that we should be downsizing all state agencies, not just some state agencies; that if we have a budget crisis, it's a budget crisis of all state agencies, not just some state agencies, and we're proposing this Amendment in order to bring this budget down to where we feel it should be, and I'd ask for a 'yes' vote."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment there are 108 'ayes' and 1 'no'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3542. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3542, a Bill for an Act making appropriations for the ordinary and contingent expense of the Illinois Commerce Commission. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Withdraw 1 and 2."

Speaker McPike: "The Gentleman withdraws 1."

Hannig: "And 2."

Speaker McPike: "And the Gentleman withdraws Amendment #1 and Amendment #2. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

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

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This would reduce the Commerce Commission's budget by \$1,206,600. Again, we feel that this is an appropriate reduction for this agency, and I'd ask for your 'yes' vote."

Speaker McPike: "Representative Ryder."

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

Speaker McPike: "Yes."

Ryder: "Representative, there are no GRF dollars in the Commerce Commission. Is that correct?"

Hannig: "Yes, Representative, there are no GRF dollars in this agency, but my feeling is that if we have a budget crisis here in Springfield, it's a crisis that all agencies must bear, and that these agencies should suffer reductions like the GRF agencies."

Ryder: "Representative, I understand the thought, and if you'll bear with me for a couple more questions, if I may. Then, is it your intent to use the designated funds, the \$1,200,000 of designated funds that would normally go to pay for the expenses that you're cutting, is it your intention then to use those funds someplace else in the budget?"

Hannig: "Representative, at this time there are no substantive Bills that I'm aware of to do that, and I don't have any, so I would have to say at this time, 'no'."

Ryder: "Just so that I understand I want to make it clear that you're not attempting to stockpile the dollars someplace for some other purpose."

Hannig: "No, that is not my intention. My intention is simply to make all budget agencies equal and suffer budget cuts equally."

Ryder: "Well, the equality part that you mention, I understand the intent, but you're not suggesting that all agencies or

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all departments today are taking equal percentage kinds of cuts, are you?"

Hannig: "No, Representative, we've tried to look at the various agencies and make some judgment calls as to what we think is appropriate."

Ryder: "Okay, so we're not doing equal cuts on equal agencies. You've set up priorities by these Amendments that are in line with either your personal attitude or the attitude of your Caucus or the attitude of some of your Members. We are not treating all agencies equally."

Hannig: "We're treating them equally in the sense that we are proposing cuts to all agencies."

Ryder: "Agreed. Yes, I understand that, but the cuts are not equal."

Hannig: "And we've tried to set up guidelines so that there'll be ranges that we feel are appropriate and based on what the Governor did to the budget last year, based on what he introduced it at this year, things like that. We've tried to be fair with all the agencies, but, obviously, there is always going to be disagreements."

Ryder: "Obviously. Thank you, Representative. Thank you, Speaker."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative Hannig, the...This is the second or third time this afternoon that we've taken and made cuts in non-GRF money, and, in the case of the Commerce Commission here, it's all non-GRF. But in light of what we did this morning, in destroying the Governor's program for additional revenue, how does making cuts in non-GRF money support and blend in with that action? I don't quite

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understand."

Hannig: "Well, Representative, I think when you are home in your district and you're in a coffee shop and people ask you 'How can it be that an agency of government in Springfield is hiring new people and expanding new programs, when there's a budget crisis in Springfield? What sense does it make?' And I'm trying to make these budgets be more consistent in that those agencies, whether they're GRF or not, have to suffer at least some of the same pain that our GRF agencies suffer, whether or not, whatever comes of that money, I don't have a plan for it, to be honest with you at this time. But I do think that it's not fair, and it makes no sense, and it certainly gives the wrong signal to our constituents to be giving increases and putting new people on the payroll, while other agencies are making significant cuts."

Olson: "I understand what you're saying about the, the folks back home, and their..."

Hannig: "And additionally, it's all taxpayers' money and we really should not allow it to be wasted, whether it's non-GRF or not."

Olson: "Well, I understand what you're saying about the heat from folks back home, but here is a particular agency that is (sic has) already cut their head count. They're not hiring new people. They've cut their head count, and this is not taxpayers' money. It's money assessed in fees for services rendered in such as that; it's not taxpayers' money. I can sympathize with the cause of making cuts in the GRF funds here this afternoon, Ladies and Gentlemen, but some of these other fund things, that agencies that do not operate on GRF money (and the Commerce Commission is one of them) those are all fees that are assessed, fines that are

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assessed, and it's...and it's an agency that has already made reductions in head count. I think we're getting away from the purpose of what I thought would happen this afternoon as I witnessed this morning's activities and I wish to point that out to the people in the General...in this room...in the House. As we work through this, sometimes this (sic-these) cuts made in other funds do not quite fit the program of what I think that we are down here to do and to operate good and efficient government. Thank you."

Speaker McPike: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in favor of Floor Amendment #3 to House Bill 3542. The reason why I'm rising in favor of this Amendment is the ICC was hiring employees to conduct business on behalf of the taxpayers of this state, and when I mean hiring employees, earlier this year in the City of Chicago they had a natural gas explosion and we had a hearing at that time and the Chairman of the ICC, at that time, explained that he did not have enough revenue to hire field investigators, but he had the revenue to hire lawyers. He had the revenue to hire lawyers to become hearing judges. He had the revenue to hire lawyers to become hearing judges who then ran for political office. Now, yes, they lost their opportunity to run for political office, but I rise in favor of this Amendment and for one purpose and one purpose only to send a message to the Illinois Commerce Commission: Get off their duffs, stop hiring lawyers, hire needed employees in that agency, field investigators to check out gas pipelines, to check out pipelines to insure the safety of the citizens of this state until they start doing that. I think we should see some green votes on

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Floor Amendment #3."

Speaker McPike: "Representative Weaver."

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

Speaker McPike: "Yes."

Weaver: "Representative, on this Amendment, you are, in effect, diverting ICC non-GRF funds into GRF. Is that correct?"

Hannig: "No, Representative, we are simply reducing the budget of the Illinois Commerce Commission by this Amendment. They have a fund that has a balance, and it goes up and it goes down, and if we spend less then there's more in the fund; if they spend more then the fund balance goes down."

Weaver: "Where did this fund come from?"

Hannig: "This fund, for example, power companies pay into this fund, and I might point out that if we allow the Commerce Commission to raise their expenses then they come in and ask for an increase in the fees they charge the power company, who in turn charge our constituents."

Weaver: "Okay, so, in essence, these are utility taxes or utility fees that are passed on to the consumer?"

Hannig: "These are, yeah, these are fees that the consumer pays to the power company, who then pays to the Illinois Commerce Commission."

Weaver: "Okay. Are these consumers also taxpayers?"

Hannig: "Well, yes, they're taxpayers."

Weaver: "Income taxpayers? So, in essence what we're doing is double taxing these consumers because they've already paid this utility tax, which goes into this fund. Now we're diverting this fund into GRF which they've already contributed to with their tax."

Hannig: "No, we're not...we're not, we're not diverting the fund into GRF. We're simply allowing the fund balance to rise,

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so that there be a reserve and so the Commission doesn't have to come in and ask to raise the fees on the power companies, who in turn will raise them on our constituents."

Weaver: "Are you, are you willing..."

Hannig: "It's like keeping a good reserve in that fund we can insure that the power companies won't have to ask for higher utility rates to pay the fees to the Commerce Commission."

Weaver: "Was not a portion of that fund diverted last year to GRF?"

Hannig: "Last year, on a substantive Bill, we gave the Governor the authority to divert some moneys from these funds. He may have diverted money from this fund, but that was a one-time, a one time program and could not happen again without the authority of this Legislature. And it certainly...there is no authority or substantive language in this Bill, nor do I know of any floating around in the General Assembly now, but it would give him that authority."

Weaver: "But there are no guarantees that that would not be diverted once again."

Hannig: "Well, there's never any guarantees, Representative. But, I'm saying that if we don't...if we can...if we can be frugal, conservative and have this agency spend less, we can keep a higher balance in that fund, and that will help insure that the utilities won't have to pay more into the fund and then, in turn, ask their consumers to ante up more."

Weaver: "Mr. Speaker, to the Amendment, this attempt with Amendment #3 is absolutely the worst form of double taxation that you can imagine. We have already taken the

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money through utility taxes from the consumers. They have already also paid income taxes, and now we face a potential, which was done last year, of diversion of that money from this fund into GRF. I think it's a dangerous precedent. I think it could happen again this year, as it did last year, and I think it deserves a 'no' vote on this Amendment."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 87 'ayes' and 27 'noes' and the Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3543. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3543, a Bill for an Act making appropriations to the Department of Central Management Services. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Santiago and Hannig."

Speaker McPike: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker. In keeping with fiscal responsibility, Amendment #1 makes a total reduction of \$6,414,400 GRF funds, and a \$6,047,700 state fund. That's a total reduction in CMS. To break it down, the building at 160 North LaSalle, it would eliminate \$4,170,700 GRF and \$400,500 in other state funds for the renovated state office building at 160 North LaSalle. This reduction includes, in part 2,000,000 in building and maintenance

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repairs, \$1,000,000 and 45 contractual security personnel cut, and .9 million for 28 new full-time positions. It also addresses the personal revolving fund, which eliminates \$2,243,700 GRF and \$5,647,200 PRF related to the creation of the new revolving fund. This is a new fund that CMS is trying to create, which will...they're trying to fund 47 new positions. So what we're trying to do is, once again continue with fiscal responsibility. We have seen that the Governor has proposed not to open prisons, not to open work camps, not to open work release programs. So, I think if we cannot open up these...necessary institutions to serve the people in the State of Illinois, I don't think that we should go out and open an office building, which is a white elephant. Thank you very much. I move for the...I move for the adoption of the Amendment #1."

Speaker McPike: "And, on that Motion, Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative Santiago."

Santiago: "Yes, Sir."

Olson: "One-sixty North LaSalle, I believe, is ready for occupancy or near ready for occupancy today, and if the different agencies that are contemplating that move are not allowed to move, I can see several problems. At first blush, this looks like it would be a savings, Ladies and Gentlemen, but the building is there, it's going to have to have its utilities, heat; it's going to have to have security; it can't just be left vacant. It's going to have some expense to maintain that building for another year, whether it's empty or occupied. Also, those agencies that were contemplating the move have already, to a large degree

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I am told, terminated or gave notice that they're going to terminate their current leased, leased space. Now, they're either going to have to renew all those leases at the old rates, or maybe come back and spend additional money to renew those leases. Perhaps some of that space has been leased to other people and is no longer available. We were told in committee, when we heard this Bill, that while it sounds like it would save money not to open this building. Yet, in fact, it's going to work the other way. It's going to be no-cost effective. It's going to cost us more dollars, more dollars to leave this building vacant for a year and reoccupy or release, move back into the space we're just vacating, and I mean it's big money, big, big money either way. But it's going to cost you more if you do not make this move. I was against 160 from the word go. It sounded like a lot of money. There was so much money for the courts to move over there, for furniture that's already been purchased, furniture that's already been purchased, what are you going to do? Store it for a year and keep on using the furniture that you were leasing before for another year? They've got...they've got furniture stored...they've got leased furniture stored in warehouses around. It's a negative cost thing. It will not work. It will not work. I appreciate what you're saying about the prisons; they should be opened, also, but let's not make this a negative operation."

Speaker McPike: "Representative Santiago, to close."

Santiago: "You hit it right on the...You were right on...what...the point. What this proves is that we have mismanagement by CMS and the Governor's office and prior administrations. We spent hundreds of millions of dollars to build the State of Illinois building. Where is the

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space right now? Nothing, we don't have any space available. Why? Because of misplanning, mismanagement by the administration. So, therefore, why should we give you more money when we don't have money? So I move to adopt this Amendment."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Representative Hicks, to explain his vote."

Hicks: "Thank you, Mr. Speaker. Could I just ask a question of the Sponsor concerning the personnel revolving fund?"

Speaker McPike: "Yes."

Hicks: "Could you explain exactly what that is?"

Speaker McPike: "Representative Santiago."

Santiago: "That's a new revolving fund that the Governor is trying to establish which will create 47 new positions."

Hicks: "Okay, and where is the money coming from? That comes out of GRF to establish that fund and then what...Do we just continually put money back into that fund, is that correct?"

Santiago: "The money is coming from GRF."

Hicks: "And then do we just continue to put money back in that fund for those personnel, is that what we're doing?"

Santiago: "There's nothing in that fund."

Hicks: "Well, once you..."

Santiago: "We are taking away the seed money of \$5.6 million."

Hicks: "Okay. Thank you very much, Representative."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 116 'ayes' and no 'nays'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hannig."

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Speaker McPike: "Representative Hannig."

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

This Amendment would make a total reduction of \$6,039,500 of GRF money. It would reduce personal service line items by \$4,000,631. It would reduce merit compensation by 292,600. It would further get into the operation line items and reduce \$3,612,400 in GRF moneys. This is an agency that came to our committee and asked for about 80 plus new jobs. Now, I don't know how I can go home and tell my people that we've got a crisis in state government, but we put 80 more people to work for the Department of Central Management Services. Now, this agency has been able to get by in the past, and, in fact, if you look at the numbers in this agency, quite frankly, the biggest amount of their budget is made up from the state insurance program. So, when you set that aside the question is, 'Why do we need to be putting 80 new people into what is not such a big agency after all?' My feeling, Ladies and Gentlemen of the House, is that we should be making this agency do with less, not with more. We've done that with a lot of other agencies, and it certainly should be applied to CMS, and I'd ask for your 'yes' vote."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative Hannig, I won't comment on the personal services line other than that...that is all jobs and related expenses to jobs. Is that correct?"

Speaker McPike: "Yes."

Hannig: "Yes, we're striking away the 80-some jobs that the Governor is proposing to create in this agency and saying that we want to go back to where we started, on ground

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zero."

Olson: "Okay. Now, there's an item in here that reduces the communication revolving fund...telecommunications fund, no excuse me, reduces property management's contractual line item by \$3,000,000. Can you explain what that management contractual line item is? Property management contractual line item, 3.4 million."

Hannig: "We tried to reduce the contractual line items of this agency as well. We've unfortunately found that too many of the agencies use contractual as a fund that is often abused, and so we've tried to apply cuts to all the line items, including contractual."

Olson: "Now for 160 North LaSalle, you already took out, in Amendment #1, contractual services for that. You're not opening. We're curious as to what, if we've taken out North LaSalle, just what this might be, \$3.4 million contractual management, property management? What other property would you be managing?"

Hannig: "Could you repeat the question, Representative?"

Olson: "Yes, you eliminated 1.9, almost \$2,000,000 in Amendment #1, for contractual services at 160 North LaSalle. Now you're also eliminating another 3.4 million for contractual services for property management, and we're curious as to where you're getting that. I have CMS personnel here with me, and he..."

Hannig: "Representative, our staff did some analysis of the expenditures through 1/31 of this calendar year, and divided that by seven, seven months of the fiscal year, and multiplied it by 12 to come up with an annualized amount that we feel is appropriate, and that's what we tried to apply, then, to Central Management Services and bring that down to that level."

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Olson: "In other words, you took expenses over the past and worked, factored it out. Is that...?"

Hannig: "Yes, Representative, so we thought that if they could live on that this year that certainly we would this...this fiscal year, that they certainly could live on that next fiscal year."

Olson: "But you can't tell me which ones. Okay, thank you, Mr. Speaker."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Hicks, 'aye'. Novak, 'aye'. I just did. On this Amendment, there are 114 'ayes' and 2 'noes'. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This would reduce \$1,728,800 in the personal service item by reducing 35 supervisory positions within the department. These positions, I might point out, have an average salary of \$49,394. Now, we all come down here and talk about reducing the budget. We all come down here and talk about getting rid of the perks and the privileges and cutting the bloated bureaucracy. We talk about how we want to make the agencies do more with less and how we want to provide spending for agencies that help people but not to waste money on the bureaucracy. Well, Ladies and Gentlemen, we've had our staff look at the number of people that this agency has on their payroll in executive positions, and we feel that they are simply spending too much money with too many chiefs and not enough Indians. We think that it's

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important that they spend the money on the parts of their budget that provide services to people and not provide political jobs for people who are friends with highly politicized people in this State of Illinois. It's not...This is the time for us, Ladies and Gentlemen, to make a stand and to actually start cutting some of these high-paid, politicized positions, and I'd ask for your 'yes' vote."

Speaker McPike: "Representative Ryder."

Ryder: "Would the Gentleman yield?"

Speaker McPike: "Yes."

Ryder: "Are these the jobs that the Speaker talked about in Chatham?"

Hannig: "Representative, I don't know where these jobs might be, but we do know that these are the high-paid people, and we simply feel there are too many of them in this agency."

Ryder: "Representative, when you went in and said that you were going to cut 35 jobs, how did you decide that these were the 35 jobs that you wish to cut?"

Hannig: "Well, Representative, actually we cut the line item for these positions and it will ultimately be up to the director to decide which of his 35 least favorite friends will have to go."

Ryder: "So you're eliminating all of these, all of those jobs, or just that amount of money?"

Hannig: "We're simply cutting those...We're eliminating funding to reduce the number of these jobs, not to eliminate them all. There will still be some management people because we realize that, indeed, you do need management people, but not so many."

Ryder: "Then let me ask just a specific question: Can you tell me what the line item was before your Amendment and then

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after your Amendment? Can you do that, please?"

Hannig: "You mean now? We proposed to reduce \$1,728,800 in General Revenue Fund in personal services..."

Ryder: "I know the amount that you're reducing, Representative. I wanted to know what the line item was before and after. That's my question."

Hannig: "We went into the agency budget division by division, and there are six different divisions, where we have proposed reductions with this Amendment where we thought there were too many management personnel."

Ryder: "Do you know how many there were?"

Hannig: "The number that we anticipate is about 35 that we..."

Ryder: "No, I mean the total numbers. I'm just trying, Representative, I'm trying to get some idea of..."

Hannig: "We anticipate about 35 out of 70 would be reduced."

Ryder: "I'm sorry, I just didn't hear the last part..."

Speaker McPike: "Just a minute, please. Would the kids in the balcony please not lean on the rail? Would you children in the balcony...would the children in the balcony please stay back from the rail? Mr. Doorkeeper, could you, please...could you, please police the children in the balcony so that there are not any accidents? Mr. Doorkeeper? Proceed."

Hannig: "Okay, we identified 75 to 80 management positions. It was our opinion that the agency, in these budget times when we're asking people to be...when people are being asked to get off public aid, when schools are being asked to do with less, when we're asking all of our constituents to understand that we have a budget crisis, and you understand everything that that entails. Under those circumstances, we felt it is appropriate that this agency reduce 35 high-paid management positions that made an average salary

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of \$49,394, about \$50,000 apiece."

Ryder: "Representative, I understand what you're saying and the portion of the speech as to why. I understand all that. Okay. The part that I'm trying to get, and I'll say it again, is what you're reducing by 1,700,000 a line item. So if you could, please, tell me what that line item was before or after, that's all I need to know."

Hannig: "We went in to six different divisions. It's not one little..."

Ryder: "Oh, okay. I understand. If you add all the six together then, tell me what it is. That's all I need to know."

Hannig: "Tell you, what, the dollar amount?"

Ryder: "I just need to know, if I can, what the total of those six line items were either before you made the cut or after. I'm trying to get some sense of what the 1,700,000 is."

Hannig: "It's about half, Representative."

Ryder: "You're cutting half of those?"

Hannig: "Out of 75 or 80, we're reducing about 35, and that's our..."

Ryder: "That's what I needed to know. Thank you very much."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative Hannig, what criteria did you use to decide who fit your definition of manager or supervisor?"

Hannig: "Well, Representative, we looked at all the supervisory positions, according to the CMS guidelines, and we tried to make some determinations based on what we know about the agency as to what we feel is the appropriate amount of upper management that this agency needs."

Olson: "Did salary come into this?"

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Hannig: "I think we...in order to compute an amount that we put into this Amendment, we used an average salary, but we looked at various classifications. Some of them did get paid more than 50,000, some that are less, but this 50,000 was an average figure that these estimated 35 people receive."

Olson: "The...I'm told that the...that this makes a heavy hit in the group insurance division. My question, though, is 'Are there any liaisons involved in this?'"

Hannig: "Well, Representative, again, we tried to identify what we thought was management positions that this agency did not need. Now, ultimately it will be up to the director to make the final determinations on who will go and who will stay and how this will be organized. So, he has that final authority, but we are saying that he only has x amount of dollars to work with. We put this, we put every agency in a position where they've laid off people last year. They reduced their numbers this year, but we found at the top of these agencies have not declined, and in some cases they have actually expanded and this agency has come in and asked for 80 new positions, and we simply don't think that's acceptable."

Ryder: "I recall the last few days there was a policy statement or, you might call it a media, media release that not only this agency...(It didn't specify agencies.) The release just said there would be liaison people should be reduced, liaison people should be reduced in number. Now, what's going to happen when the Members of this General Assembly have a problem and want to call an agency, a constituent problem and want to call an agency and you can't find anyone to talk to?"

Hannig: "Well, Representative, we could always call the

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director."

Ryder: "Lots of luck. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 110 'ayes' and 2 'noes'. Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3544. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3544, a Bill for an Act making appropriations to the Bureau of the Budget. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. The Governor has asked most of these agencies to come in with some kind of reductions in the neighborhood of 5 or 10%. Some of the agencies actually came in with reductions of up to 15 or 20%, but the Bureau of the Budget, when they came in with their budget, they only took a 2% reduction in General Revenue Funds, and when we asked the director why they couldn't take at least 5%, which is what the threshold that they asked the Attorney General and the Secretary of State and the courts and the State Board of Elections to take, they said they simply couldn't find any place to cut. So, this Amendment helps them find places to cut by reducing their personal services line item by 156,900, the appropriate amount of pick up for retirement; it reduces

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travel 10%; contractual 10%; commodities 10%; and printing 10%. It's a total reduction of \$200,400, not a large amount, but I think a good symbolic gesture that we should be offering to the Bureau of the Budget, and I'd move for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment there are 108 'ayes' and 3 'noes'. Amendment #1 is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3550. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3550, a Bill for an Act making appropriations for the ordinary and contingent expense for the Illinois Racing Board. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Members of the House. This would reduce the appropriation for the Racing Board by \$2,522,700. Now this is Ag premium fund money, and some people will say, 'Well, it's not GRF.' But the Ag premium fund each year runs a deficit, and in order to provide for the adequate amount of money that the Ag premium fund is used to finance, that fund ends up dipping into General Revenue Fund. So, to the degree that we increase or decrease Ag premium fund, we correspondingly increase or decrease the General Revenue Fund. So, having said that,

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this Amendment would provide a reduction in the Ag premium fund for the Racing Board of \$2.5 million. It reduces contractual, personal services and other line items, and I move for its adoption."

Speaker McPike: "Representative Olson, on the Amendment."

Olson: "Thank you, Mr. Speaker. Bear with me, just a minute, please."

Speaker McPike: "If you're not prepared, I can go to Mr. Ropp. Representative Ropp."

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

Speaker McPike: "Yes."

Ropp: "This is \$2 million out of the Ag premium fund?"

Hannig: "Well, Representative, it would reduce the budget of this agency, which comes from the Ag premium fund, and to the degree that the Ag premium fund, unlike other funds, runs a deficit each year and has to call upon the General Fund to bail it out, this reduces the amount of bail-out that this fund will need at the end of this fiscal year."

Ropp: "Okay, but does not this particular agency operate the program through horse racing that helped raise revenues to put into that Ag premium fund?"

Hannig: "Yes, the Ag premium fund is generated by race horses, and this industry is to regulate the racing industry."

Ropp: "All right. My question, though, is there a strong possibility that by making these cuts, the direct proportional cut would be made in the Ag premium fund because either you're not able to administer the program, provide the adequate testing of the horses, and to implement horse racing in the State of Illinois?"

Hannig: "Well, the taxes come from the betting, and as long as there's betting in the State of Illinois, you're going to have Ag premium money come in. Now this agency, you know,

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they're...what they are to do, their jurisdiction, is to oversee the races to make sure that they're fair and things like that, and we will be giving them, even if this Amendment goes on, \$8,634,600 is their appropriation."

Ropp: "Is that an increase or decrease over the previous year?"

Hannig: "It would be a decrease."

Ropp: "Well, I'm still trying to find out whether or not this decrease will have an impact on the revenue source to which we're trying to maintain, which is the Ag premium fund. And if you're saying that it may have some jeopardy on the operation of that program, which would, in fact, reduce the amount of dollars coming in from horse racing in the State of Illinois, this may not be a good idea, because, see, what we're trying to do is to invest in a program that will raise money for the state, and if you cut that source of revenue that helps raise it, I'm not sure you're doing what is in the best interests of coming up with additional dollars for our state."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative Hannig, the...There was earlier discussion about eliminating post-racing, post-race testing. Is that being cut?"

Hannig: "Yes, that would be reduced."

Olson: "Pardon?"

Hannig: "Yes, that would be reduced in this Amendment."

Olson: "This, this Amendment is going to eliminate post-race testing of horses? I want to get to know the right people and go to the track and bet every day if this is what this does."

Hannig: "It reduces the contractual line item, that money and

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commodities and those items in this budget. Now, the director understands that his primary obligation is to see that there are fair races in the State of Illinois. We believe that this budget, even after this Amendment, still provides him with adequate money to do that."

Olson: "Ladies and Gentlemen, to this Amendment, if we're going to have horse racing in this state and it's going to be a part of the horse industry, the gambling industry, if you're going to have integrity, and you want to keep those things going, we've been playing game one-upmanship, politics back and forth across the aisle here this afternoon, but I want to tell you, I believe we ought to see some red votes up here this time if we're going to create an instance or an event where post-race testing disappears, man, I...We don't make a hell of a lot of money in this General Assembly, but I want to tell you, I want to get to know those boys that own those horses, regulate those races, ride those horses because this is bad bad news. Bad news. Your off-track betting. Do you want to go in there and have a drink and bet your ten bucks and find out you didn't have a chance a couple of months later? This is bad, bad news. I think this should be a red vote all the way around, Ladies and Gentlemen."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, these...This board, the Racing Board, has the responsibility to regulate horse racing. This Amendment reduces personal services by 50%, and, yet, the Sponsor of the Amendment suggests that horse races will still be regulated. I suppose it's consistent, since he's reducing personal services, that he reduces travel by 50%, but we're talking about here - and let me be very plain - we're

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talking about non-General Revenue Fund money. This is not gonna help pay hospital bills. This is not going to help pay pharmacists and those folks that haven't been paid. All you're going to do is decrease the number of races, decrease the integrity of races and lower the amount of revenue for the state. Some cuts may be in line, but in this particular case when you're doing a 50% cut on an organization that makes money for the state, I think the Amendment may not be in the best interest of the State of Illinois."

Speaker McPike: "Representative Hannig, to close."

Hannig: "Well yes, thank you, Mr. Speaker, Members of the House. Let me make a couple of points. First of all, this fund drains the General Revenue Fund. It runs a deficit each year. So anything that we can do to reduce the budgets of Ag premium fund agencies helps us reduce that drain, or deficit, on the General Revenue Fund. So, it's not true to say that this is not going to affect general revenue, it will affect general revenue balances up or down. Let me also say that there has been a lot of confusion in this agency as to what is the best way to address the problem of testing horses. We had detention barns for awhile; that was repealed, that was done away with. We had the agency buying last year testing equipment which they decided that they weren't going to use, but CMS determined that they should continue to make payments on those programs on that equipment, even though they weren't going to use it. Now, this agency has a head count of 130 people. It's adequate to provide the protection for the races here in Illinois. We are recommending that it be reduced from 11,157,000dollars to \$8 million 634,000. We believe that this agency can live with this budget as we have asked

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other agencies to live with their budgets and still maintain the product that we ask of it. The director understands what he is to do, what he is paid to do and what the agency is paid to do; and I'm certain that he can still do it with this amount of money, but we must ask each agency to take some cuts, and we're asking for cuts by this Amendment which I feel are fair, and I'd ask for a 'yes' vote."

Speaker McPike: "The question is 'Shall Amendment #1 be adopted?' All in favor vote 'aye'. Opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Flowers, 'aye'. Mr. Clerk take the record. On this Amendment, there are 76 'ayes' and 34 'noes'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker McPike: "Third Reading. House Bill 3552. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3552, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Pollution Control Board. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Representative, Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This would reduce the Pollution Control Board's request by \$235,700, of which \$215,600 is GRF. We've gone through the various line items...as we have in the other agencies. We reduced, or we've eliminated the vacancies. We've cut the contractual. We've cut the travel. We've cut the

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commodities. We've cut the EDP. We cut whatever we thought that we could cut and still allow this agency to operate, and I think that we have a good Amendment, and I'd move for its adoption."

Speaker McPike: "On the Motion, Representative Olson."

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

Speaker McPike: "Yes."

Olson: "What is the total dollar cut in this particular Amendment Representative Hannig?"

Hannig: "The total is \$235,700, of which \$215,600 is GRF."

Olson: "Contractual services are reduced by 50%, no problem there. Personal services, what was that reduction there, in the term of layoffs or jobs?"

Hannig: "We had two vacancies that would not be filled, and we reduced the personal services line item by 15%, and there is an exec. five position that we eliminated."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Will the Sponsor yield for questions?"

Speaker McPike: "Yes."

Ryder: "Thank you. Representative, what's the total budget of the Pollution Control Board?"

Hannig: "Representative, do you mean all funds, or just GRF?"

Ryder: "Well, since you offered, I'd like both."

Hannig: "Pardon?"

Ryder: "Both, please."

Hannig: "Okay. Their request for this year, GRF, was \$1,018,600. Their total budget request for this year from all funds is \$1,342,600."

Ryder: "So, in this budget, my calculations indicate approximately a..a is it a 21% cut that you're offering in this Amendment?"

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Hannig: "We would propose that we cut \$235,700."

Ryder: "Roughly 21%?"

Hannig: "I think you're in the ballpark, Representative."

Ryder: "Well, since we're in the same ballpark, perhaps you could explain to me why this budget you...which is in charge with maintaining the environmental integrity of the state, you chose to cut by one of the highest percentages? Other agencies, 'What was it in this agency that you saw that caused you to cut this amount by so much?'"

Hannig: "Well, Representative, we understand that we've got a big budget gap, if there are no new taxes, which we talked about earlier, that were voted down today. So we're looking at possibly a \$350 million shortfall without those cuts and perhaps with some other things that we'll have to do this year, but in any case, the answer to your question is that we tried to look at each agency and provide cuts anywhere from 10 to maybe 50% where we felt it was appropriate, and yet not so deep so that an agency could not carry out the mandate that we in the Legislature asked it to carry out."

Ryder: "That's, fine, Representative. When you examined this agency, what was it that caused you to say that they could absorb 24%? Did you have a standard, or did you use a meat ax? I don't understand why this agency would have 24%, and other agencies have a smaller percent, which is a regulatory quasi-judicial agency, as I know you're aware, that has responsibilities in the environmental area. Why is it that you chose...what is it about this agency that said, 'Cut me by 24%'?"

Hannig: "Well, first of all, we cut the personal services line item by 15%, by simply eliminating two vacancies, and by cutting one executive five position. That was a total

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savings of \$121,700, or nearly half of what we saved. Then we went through the rest of the budget, and we made cuts to contractual 50%, we cut travel, we cut commodities by 30%, and we tried to reduce the agency's budget and yet still allow them enough money to operate."

Ryder: "I think you're trying to answer the question, but I'm just not getting a sense here. I know that you tried to cut, that I understand and I know that you...what it was that you did cut, Representative, that's clear. My point is, I don't understand how you can...tell me your thought process that says that this agency deserved a 24% cut. Other agencies only got 10%. Other agencies got more. This is a agency that regulates environment. I just don't understand why this agency got the 24."

Hannig: "Representative, I don't think that we looked at the agency and said, 'We're gonna cut this one 50% or this one 10%, or this one 5%.' We tried to look at each line item in the agency and say, 'Is that a line item that we can cut? Can we reduce some amounts of money in this agency?' Then at the end of the day when we added it up, we would make a determination does that seem like a reasonable cut in this agency? And after we'd cut this agency by \$200 and some thousand dollars, we thought that it was fair."

Ryder: "Well, I don't think that...I'm not getting the answer, but I don't think that I will, so I'll simply stop with the question. It's not because..."

Hannig: "We don't have a magic formula that we could share with you to tell you how some agencies are cut one amount and some are cut another amount. We try to use our best judgment, and we understand that as honest individuals, we may disagree."

Ryder: "And that I suppose, Representative, is simply the point

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that I wanted to make. That there's not a consistent formula applied across the board that would suggest one rather than the other. In this situation, I think that the cut for a regulatory agency like this, in which it deals directly with the environment, in this situation. I think it's such that you've gone too far. I think that here you've made some cuts that will affect the quality of the environment in the State of Illinois. I was wondering if you had a 'magic formula'. You indicate that you do not, so this is one where we apparently disagree."

Hannig: "Yeah. Representative, I would point out that when the Governor...."

Speaker McPike: "Representative Hoffman."

Hannig: "That when the Governor introduced...."

Speaker McPike: "Representative Hoffman, that was not a question. Representative Hoffman."

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

Speaker McPike: "Yes."

Hoffman: "Can you tell me, Representative, how far in the Governor's budget level was this cut being made?"

Hannig: "Pardon me, how far what?"

Hoffman: "How far under the Governor's level...proposed level was this cut being made?"

Hannig: "Well, the Governor proposed it that...We're proposing that we reduce the Governor's introduced level by about 21%."

Hoffman: "So, your cut is under the 21%, is that what...."

Hannig: "We are proposing to reduce this budget by 21%."

Hoffman: "Thank you."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'."

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Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there is 102 'ayes' and 2 'noes'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This Bill...this Amendment would restore \$425,000 from the...I'm sorry. It will restore \$175,000 from the permit and inspection fund money into the general office to restore some scientific positions that were cut by the Governor when he proposed this budget, but there is a substantive Bill that is alive and is moving in this chamber, to provide a non-GRF funding source for this money, so in order to have this Bill at this time reflect the nature of that substantive Bill, we are proposing to fund...or provide funds for those positions, and I move for the adoption of this Amendment."

Speaker McPike: "Representative Monique Davis."

Davis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. If you'll just take a look over here, you'll have an opportunity to see Sheila M. Murphy, Associate Judge, Circuit Court of Cook County, who won the election in March. Give her a hand. And Sheila is from my district. Thank you."

Speaker McPike: "Representative Ryder."

Ryder: "Mr. Speaker, would the Sponsor yield?"

Speaker McPike: "Yes."

Ryder: "Okay. Representative, you're on Amendment 2. You've filed an identical Amendment #3. Do you want to be on 3 or 2? Would you double check?"

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Hannig: "We're informed we want to be on 2, and then we'll withdraw 3."

Ryder: "Unless, do you have...I'm just trying to move it along here. Are you telling me...If that's the way you want to do it, that's fine."

Hannig: "We'll debate 2 and then we'll withdraw 3."

Ryder: " All right, fine."

Ryder: "Representative this a new kind of Amendment. This doesn't reduce, this adds. Can you tell me, please, is not the funding source...Is that a user fee?"

Hannig: "It's...The substantive Bill, 4025, House Bill 4025, raises the cap on the Environmental Protection Permit and Inspection fund."

Ryder: "So, are your raising user fees in order to fund these positions?"

Hannig: "This agency already can tap into this fund, and we're simply giving them authority to..."

Speaker McPike: "This is an Appropriation Bill."

Ryder: "I understand that."

Hannig: "To increase their authority, and this Amendment reflects that. So we're providing...We share your concern earlier that this agency needs to have scientifically trained people because of the nature of the cases that they decide, the environmental cases. The Governor had proposed that we eliminate these five positions, but we feel, and the Legislature apparently feels, when they vote for the substantive Bill, that we should find a non GRF source for that. When we pass that substantive Bill, we need to put this money in the Appropriation Bill to reflect that."

Ryder: "I think the time..."

Hannig: "And I might add if that Bills dies, then obviously this Amendment will have to come off somewhere."

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Ryder: "To the Amendment. It may be premature to be doing this.

I would simply state that I hope that the Chair then entertains the User Fee Bill when it comes before the Chair, because I got the distinct impression this morning that the Chair was not going back to that Order. So, as a consequence, when that Bill comes up, I hope that the Chair does entertain it. Thank you, Representative."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative Hannig, I'm still confused whether we're on Amendment #2 or number #3. You say it's number #2."

Speaker McPike: "We're on Amendment #2."

Olson: "All right. But Amendment #2 says \$164,800 and number three says \$179,000...."

Speaker McPike: "We're not on Amendment #3. We're on Amendment #2."

Olson: "But he used \$175,000 in his opening remark, and that is not in Amendment #2, it's in #3. Now there's a mix-up."

Speaker McPike: "Proceed, Mr. Olson."

Hannig: "Well Representative, we would use whatever number is in there. If I said..."

Olson: "It's \$164,800 then, not \$175,000. You say there's a substantive Bill alive. Who's the Sponsor of that Bill?"

Hannig: "That Bill passed the House, and it's over in the Senate. Representative Kulas is the Sponsor."

Olson: "Okay, thank you. Now the Amendments up to this point have been cutting jobs further than what the government's recommended introduction levels on many agencies."

Hannig: "That's correct."

Olson: "Here, you've chosen to do just the opposite. We would keep five scientific positions, and that money is gonna to

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come from what funds?"

Hannig: "From the Permit and Inspection Fund."

Olson: "Pardon."

Hannig: "The Permit...from the Environmental Protection Permit and Inspection Fund."

Olson: "Okay."

Hannig: "Right now this agency is allowed to draw a certain amount of that money into their budget for the purposes of hiring personnel. The substantive Bill would allow them to hire more, and we're simply making this Bill, this Appropriation Bill, reflect the amount of money in the substantive Bill."

Olson: "I would just to point out then, Representative Hannig, that all day you've been taking credit for making additional cuts. I hope you will also take credit now for the additional jobs provided. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 100...take the record, Mr. Clerk. There are 105 'ayes', 8 'noes'. Amendment #1...correction, Amendment#2 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Hannig."

Speaker McPike: "The Gentleman withdraws Amendment #3. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3553. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3553, a Bill for an Act making appropriations for the ordinary and contingent expense of

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the Department of Mines and Minerals. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

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

This would reduce the mines and minerals appropriation by \$1,237,400, all GRF money. We go in and eliminate the vacancies in the general office; we reduce the merit compensation by \$16,300, and we eliminate some positions in the general office, and that's a total reduction in personal services of \$391,000. Then we go into the various divisions, and we reduce the vacancies, and we reduce the line items for contractual, for printing, for commodities, out-of-state travel, and we reduce some of the personal service line items. When it's all said and done, we would reduce \$1,237,400. I'd move for the adoption of Amendment #1."

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Hannig, you mentioned several reductions in there, and the crowd noise is such that I couldn't hear, but are any of those reductions in relation to mine safety?"

Hannig: "No, there would be no reduction in the number of mine safety inspectors."

Olson: "Would mine rescue...?"

Hannig: "Except that we would not fund the vacancies."

Olson: "I can't hear you...but."

Hannig: "We would not create any layoffs for mine inspectors, but we would not fund the vacancies. Those...."

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Olson: "Are mine rescue stations still a viable thing? Our notes say that this shuts down all mine rescue stations."

Hannig: "We eliminated all vacancies in this agency budget. If the Governor's people are not funding these positions now, we propose to eliminate them."

Olson: "We have a list here of division of mine safety and training, and there are cuts all the way from personal services to commodities, travel, training; We feel that this jeopardizes the rescue and training."

Hannig: "Representative, they have apparently 12 vacancies in that group, and so we eliminated those positions. If they don't feel they have to fund them, over the course of time, we will not provide funding for them."

Olson: "Well I'll have to accept your response there, and I do not question it. Also, don't say that we're going to lose some federal funding. Is that true?"

Hannig: "This agency is all GRF, and we're trying to cut operation lines. Now, certainly, Representative, we would not want to do anything that would ever jeopardize federal funding, and if at some point in the process we would have to look at that, we certainly would, but we're certainly not cutting any GRF money that we know of in this budget."

Olson: "To the Amendment. I don't argue with Representative Hannig and his GRF funding statements, but I do believe that these reductions will cause some loss in federal funding and will cause mine training to be restricted and some certification grants will be...lost as the result of discontinuation of this program. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Hultgren, 'aye'. Mr. Clerk, take the record. On this Amendment, there are 114 'ayes' and 2 'noes'. Amendment #1

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is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3554. Mr. Clerk read the Bill."

Clerk O'Brien: "House Bill 3554, a Bill for an Act making appropriations to the Department of Professional Regulation. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Speaker McPike: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This would reduce E&R's budget request by \$4,259,747. The Department of Professional Regulation budget request that is. This is done by eliminating all new positions, all merit compensation, all over-time pay, all funds for vacancies to be filled in '93; and then we eliminate 50% of the line items for out-of-state travel, and all the other operational line items. Ladies and Gentlemen of the House. When we heard hearings over the last four weeks, I have to confess that this agency had the worst run agency of all the agencies that I've dealt with in the years that I've been here in the Legislature; and we're in a time of economic crisis, here we are in a time of budget restraint and fiscal restraint and we're struggling to balance our budgets, we have a director who spends \$160,000 for a new desk, who spends \$7,000 for a new car...for a new chair. She has cars that are new and available to her. She's spent the money in this agency in a way and in a manner that while it is legal, it is certainly not within...in keeping with the intent of this Legislature or what we're

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trying to do through this appropriation process. But not only does she spend the money improperly or poorly, and use bad judgment there, as the Director of Professional Regulation, it's her job to oversee what goes on with our regulations, with our division in the State of Illinois. She is to oversee the doctors, the Realtors, the accountants. Well, in one case where we became knowledgeable on, this director had intervened when an individual had issued prescriptions without a medical license. When two of the people in the agency became aware that she was trying to intervene on behalf of the individual, who had written these prescriptions, and they told the Governor's Office that they were not happy and thought that this was the way the Edgar Administration would want to be recorded when history was written, she found a way to get rid of those two individuals. Now, that isn't the way we should be running state government. We have an agency who supposed to be a watchdog for these groups, to make sure the doctors properly run their business, that Realtors run their business correctly, that the accountants do the job that they're supposed to do. They're not supposed to have a friend in the director, who will intervene on their behalf and see to it that if they break laws, that they just be given a pass, be given a free ride, be told that 'that's okay. We'll take care of it.'. That's not the way state government is supposed to be run. So I would suggest, Ladies and Gentlemen of this House, that we need to reduce this agency's budget, that we need to send a message to this director that she is not doing a good job, she is not doing the job that the Governor has appointed her to do, and that we in the General Assembly are not happy with the way she is spending the money and

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running the office, and so I am requesting that we reduce her budget by \$4,259,000, and I'd ask for your 'yes' vote."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I understand the need to reduce the budget of this department and all the departments of state government, in order to keep within a restricted budget and the restricted resources which we in Illinois have. I do, respectfully, disagree with the previous speaker. I have found this director on occasions to be cooperative; to be helpful, not to any special friends, but to strangers who need assistance from her department; and I don't think we should be using this budgetary process to make some attacks. This is a vote on a budget, not a vote on a director, and I'd like my vote to be recorded in that fashion."

Speaker McPike: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to echo the remarks of Representative Preston. I have talked to this director on numerous occasions. I have found that she is one of the few directors in state government that bothers to return a phone call. She's been very courteous to me, as opposed to most of um who don't even bother to talk to you if you see um. But, I've had the experiences with her, and I've found her to be most courteous and most interested and most helpful when you have a matter to discuss about some of your constituents, or a problem they have."

Speaker McPike: "Representative Hasara."

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

Speaker McPike: "Yes."

Hasara: "Representative Hannig, since this is not GRF, what line items are these? Where are these cuts coming from."

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Hannig: "Representative, there is a substantive bill that's moving in this Body, that would create a method where this agency could, in the future, even this year, become self-sufficient; and that's where the money for this agency then would come from."

Hasara: "I mean, is it coming from license fees, from Realtors?"

Hannig: "Yes, that's correct. It comes from the license fees from the people that this agency is to license and oversee the professions of."

Hasara: "It seems to me if you have a problem with the director, you're taking the wrong approach. What you're doing, is punishing the people who the department is supposed to be taking care of, and you're laying off employees and making them do more work when what you really want to do is get at the director. It seems to me you're going about this totally in the wrong way. The Realtors, the pharmacists, the social workers, everyone else who pays to have licenses renewed in the State of Illinois, are the ones who are taking the cuts from this budget because you have a grudge with the director, and you're going to cut the positions then, of the people who are regulating these professions, when, in fact if you're figuring out a way to increase those fees, you ought to be adding people who want to regulate their own profession. So, I stand in opposition to this cut. This does absolutely nothing to help the taxpayer of Illinois; in fact, in the long run, it will probably hurt them, and, so again, I wish you'd figure out another way to take out your grudge. I mean many of us agree that that department made some bad purchases, and were ill advised in doing so, but what you're doing now is hurting the employees and those of us who pay license fees to that department."

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Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I'd be remiss if I did not stand in support of Director Zollar and the many times I've called her for different reasons she's been very cooperative. I'm also so very supportive of Representative Hannig and the job he's trying to do here in cutting the budget. I don't think there's any personalities involved here at all, and if they were alluded to that, I think it's wrong. Thank you."

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I rise in support of this Amendment for the simple reason I don't know where we get the idea that fees do not come from taxpayers. Fees are dollars that are expended by our people for the business of doing...for doing their business in the State of Illinois. They have a right to expect the lowest possible fees and the best service that they can get in this state. Fees are taxes just like anything else. We have the obligation to lower those fees where we can and expect good service for our dollars. We should demand it. Thank you."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. Like other Members, I've made inquiries of the agency and naturally, the agency cooperates. Most agencies cooperate with the Legislature, but, I do want to defend Gary Hannig. He has done a real conscientious job and the criticism that he leveled at the director was warranted. I have made criticisms of directors at different times and later those directors have become the best of friends. Sometimes they want criticism. I remember when a former...agriculture director Brock (sic-Block) who went with the...Black or Brack, I forgot his name, but he went with the federal

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agency as its agriculture director. He came totally unprepared to the...his first budget hearing before the Appropriations Committee, and we really did a job on him, and I think later he appreciated it, so I think we have to at times criticize directors when they don't do a job. So, I want to commend Gary Hannig. He's done an outstanding job with the appropriations process and his criticism. I don't want anybody to think that because we cooperate, and she cooperates that when they have criticism coming we shouldn't give it to um. Keep it up, Gary."

Speaker McPike: "...The Chair have your attention, please.

Speaker Madigan, in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if we could have your attention please, just for a few moments. We're very pleased to have with us today the Chairman of the National Democratic Party, Mr. Ron Brown, who has served in this position for several years now and has done an outstanding job of providing strong, dynamic leadership to the National Democratic Party, which is not easy to do, as you all know. And so we're very pleased to present to you, Mr. Ron Brown."

Brown: "Thank you very much, Mr. Speaker. I'm trying to understand why folks over here stood up and folks over there didn't. I don't want to interrupt your important work, I just wanted to come by to tell you how much respect I have for the state legislative process and how important the work that you do is to, not only this state, but to our country. Obviously, we're all focusing on the fall campaign. Obviously, we're all going to be working hard for candidates of our choice, and I just wanted to make a special offer to the Republicans in this Body: I have set up a voter re-registration desk on the outside for all you

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Republications to re-register as Democrats so that we can 100% in this Body come next January. To the Democrats, I just want to say how much I'm looking forward to working with all of you this fall. Through the state party, under the tremendous leadership of Gary LaPaille, and we've got a lot of work in front of us, a lot of important work that is going to affect not only Illinois, but affect America, and my one bit of partisan rhetoric for this afternoon is that we've got to do everything we can to elect Carol Mosley Braun to the United States Senate and everything we can to make George Bush a one-term president and put Bill Clinton in the White House. Thank you very much."

Speaker Madigan: "Well, we want to thank you for those non-partisan remarks. Mr. McPike, in the Chair."

Speaker McPike: "Continuing, Representative Daniels."

Daniels: "I wanted to, of course, remind the Chairman of the Democratic Party of two things: (A) We are the Party of Abraham Lincoln, and we're happy that he's with us in this august Body, and (B) We are delighted the Democrats are joining us in spending cuts in bringing government under control. So, in spite...so if we only bring the National Party and Washington into some sense, and a runaway Congress controlled by the Democrats, to do what we finally convinced you guys to be doing all along, we'd be delighted to have him join us in bringing government under control, so we're glad that he's here to join us."

Speaker McPike: "On the Amendment, Representative Manny Hoffman."

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

Speaker McPike: "Yes."

Hoffman: "Representative, can you tell me the budget you've presented, is that a year budget or a six-month budget?"

Hannig: "It provides for personal services. It provides for

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personal services for a year budget, Okay? It provides that there would be funding for all the people whose job it is to watch over these agencies on an annual basis. It does, however, provide that there'll be no merit compensation increases, and there'll be no new positions, and that's a position we took on all the budget, but we did cut the travel, the contractual, the EDP and all these other...."

Hoffman: "Can you tell me how much the contractual were cut?"

Hannig: "Percentage-wise, we cut it by 50%."

Hoffman: "How about equipment?"

Hannig: "I'm sorry, could you repeat...."

Hoffman: "How about equipment, how much did you cut?"

Hannig: "We reduced equipment from one 116,400 to 58,2000."

Hoffman: "Do you know what the percentage is?"

Hannig: "About 50%."

Hoffman: "How about EDP?"

Hannig: "We cut nearly every line item other than personal services, which is the...Personal services, obviously, is the money to pay the employees. We cut the other line items by 50%."

Hoffman: "Is this, in your eyes, and we talked about this in the committee, is this meant to be a six-month budget?"

Hannig: "Well, Representative, we talked about ways that we could try to get this director to better serve the needs of the people of the State of Illinois, and, also, we know that we have to provide reductions in all the budgets that we talked about today, and I think that basically, what we're trying to do here today is a little bit of both, reduce this budget because it has to be reduced, but also to make sure the director is in a position that she will not be spending \$160,000 for a desk, or \$7,000 for a chair."

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Hoffman: "Well, to the Amendment. I think that if you're cutting this 50%, what it means is you want this department to operate on a 50% cut on the budget. This is a department that handles licensing for very important services, and what it also does, besides the licensing, is that anyone that has a complaint, anyone that has something to say about their producer, has to go to this department, an investigator has to make an investigation, and what we're doing is we're cutting this department by 50%. How are these people going to have their complaints and their questions answered?"

Hannig: "When they call the agency, there will be someone there to take the phone call. There will be someone to follow up on it, because there is a budget, a full year's budget, for the personal services."

Hoffman: "But what about the investigations and the hearings that have to be held in this department?"

Hannig: "We would hope that the director would still be able to hold the hearings, that's what the agency's about, but we did cut these contractals which is we found out unfortunately, is kind of a slush fund that many of these directors use to take care of their political friends. We've cut that 50%. We've cut the travel; we've cut the commodities; we've cut all these funds, but we've done this with other budgets, too."

Hoffman: "One other question? Can you tell me what the yearly rent is that you have figured in?"

Hannig: "Maybe you can tell us. We're looking, Representative."

Speaker McPike: "Representative Olson. Olson. Representative Matijevich."

Matijevich: "Inquiry of the Chair? Is it a violation of the rules if I introduce the members of the Illinois

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Association of Homes for the Aging up in the gallery, is that a violation of the rules?"

Speaker McPike: "Yes."

Matijevich: "Glad to have you."

Speaker McPike: "The question is, 'Shall this Amendment be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 74 'ayes' and 35 'noes', and the Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3558. Out of the record. House Bill 3604. Representative Younge, for what reason do you rise? Wyvetter Younge. Never mind. Out of the record. House Bill 3250. Mr Clerk, read the Bill."

Clerk O'Brien: "House Bill 3250, a Bill for an Act making appropriations for the Office of the State's Attorney Appellate Prosecutor. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. In Amendment #1, we have a total reduction here of GRF of \$1,143,600. Also, other fund reductions of \$99,000 for a total reduction of this budget of \$1,240,600. I'd ask for adoption of Amendment #1."

Speaker McPike: "The Gentleman has moved for the adoption of Amendment #1. The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Representative Tenhouse, to explain his vote. Mr.

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Tenhouse, the Chair apologizes. I had some papers across your light, and I was looking at Representative Olson. Did you want to ask some questions on this? Representative Tenhouse."

Tenhouse: "We just want to get it into the record, I think, if we can an opportunity just to question a little a bit about some of the cuts."

Speaker McPike: "Yes, I apologize, I was looking at Mr. Olson." Do you want to ask questions on this Bill?"

Tenhouse: "Basically we're in agreement with the cuts here, but just for the purpose of the record, we wanted to know how much the personal services cuts are here, and how many people are going to be...how many the head count is going to be reduced?"

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. In the reduction of personal services, we're reducing that line item by \$486,700 of GRF and \$30,700 of CPF fund. As far as how many actual people, head count, Representative, I can't answer that question right offhand of actual number of people, but that's the total amount within those line items."

Tenhouse: "For the record, we're in agreement with your cuts and appreciate the chance to question you. Thank you, Mr. Speaker."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 107 'ayes' and 2 'noes'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

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Hicks: "Thank you, Mr. Speaker. Amendment #2 simply restores the \$48,000 that was inadvertently taken out of the Illinois Child Witness project."

Speaker McPike: "And on the Amendment, Representative Tenhouse."

Tenhouse: "Yes, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker McPike: "Yes."

Tenhouse: "Who is the contractor who's going to be involved as far as this contract is concerned?"

Hicks: "I don't know, Representative, who the contractor is. I'm not aware of there being a contractor. Maybe if you know the answer to that, I'd be happy to hear it. I'm sorry. It actually increases this line item by \$48,000."

Tenhouse: "Okay. I think more than anything, we're wanting to know a clarification here. Our records...We're having problems. Was this actually reduced in Amendment #1 and you're reinstating it now?"

Hicks: "Okay. I'm simply adding it to the line. It's not...it was not taken out."

Tenhouse: "So, then this is a new appropriation over and above what we were talking about earlier?"

Hicks: "Yes."

Tenhouse: "So, this was not in the Governor's original budget the \$48,000 we're talking about here?"

Hicks: "The answer's yes."

Tenhouse: "Can...can you explain to us what the purpose is of this contract, I guess, Mr. Representative?"

Hicks: "Representative, I would simply ask to submit this into the budget. I'm doing so at the request to put into the Child Witness project."

Tenhouse: "I think the question comes about...We're making cuts all up and down the line, and pretty severe deep cuts in a

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lot of other areas, and, in effect, we've got an add-on here, \$48,000 that was not in the Governor's budget and really we've not had an opportunity to look at this prior to this point; and I would think that, even though this may be a very well-intended and good idea, the problem right at the present time is when we're talking about taking about taking cuts in every other budget, it seems a little bit odd to be adding this on at this point."

Hicks: "Representative, I believe we've moved a lot of money around with the budget. I believe \$48,000 when a budget by which we're reducing by one \$1,242,600 is not an increase over what the Governor's requested. I think it's actually a reduction of the budget by a considerable amount."

Tenhouse: "I guess the question comes about here, Mr. Representative, we're talking about the fact that we're making cuts as far as administrative staff, and then we're talking about an add-on here, and if this, in fact, one person, \$48,000 is certainly not an insignificant amount of money to be talking about in relation to the other budget cuts we're looking at in our other agencies."

Hicks: "Was that a question, Representative? I'm sorry I missed it if it was."

Speaker McPike: "It was a statement."

Tenhouse: "Well, I think the question really comes about here is, how do you justify the \$48,000 when we're making cuts in other administrative personnel in virtually every other agency?"

Hicks: "Representative, I think we're making cuts of \$1 million, almost \$1 million two. I don't think it's really any kind of a change in policy, though. I think we're making considerable cuts."

Tenhouse: "Mr. Speaker, to the Amendment. I think it's quite

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clear, and I think the Members of the General Assembly need to realize here that not are we talking about the fact that we're making cuts as, in fact, we're going to have to, and a lot of us are sucking in our belts and making cuts in agencies and programs that we feel very near and dear. But, on the other hand, to have this add-on when, in fact, we do not have, at this point, any other...This was not indicated through the committee process, now to see this come up, I think, I would urge that the Members on both sides of the aisle vote 'no' on this Amendment. Thank you."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if I could have your attention just for one moment. This is not, repeat not, the kind of Amendment that we've been dealing with all day long. This is adding back a \$48,000 position, I believe, for a specific person. It is adding and creating a \$48,000 position. Now, we just cut in Amendment #1, this Bill, and we've been doing good work all day. We have cut and saved the state a lot of money, but I've gotta tell ya, symbolically, if you put green votes on this Amendment, you're gonna take away symbolically from all else that you've been doing. Beware. Be careful. This is not a reduction; it is adding back a \$48,000 position."

Speaker McPike: "Representative Hicks."

Hicks: "Mr. Speaker, I'd like to withdraw Amendment #2."

Speaker McPike: "Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3335. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3335, a Bill for an Act making appropriations for the Office of State Appellate Defender."

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Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 3335, reduces General Revenue Funds by \$3,044,200, and makes a \$1,697,900 reduction in personal services in the General Office and Capitol Resource Center. It represents the elimination of all new positions and the layoff of approximately 50 employees on the basis of seniority within 60 days notice. It does other minor cuts within that budget for a total of \$3,000,000. I ask for its adoption."

Speaker McPike: "Representative Homer."

Homer: "Thank you Speaker. I'm confident this Amendment is going to pass today. As the Sponsor of the Bill, however, and as one who has an interest in the appropriations of this agency, I want to state that I will not support it because I think it needs to be re-worked. In fact, I would like to see the committee take this Bill back and do a different Amendment. The previous Bill that we handled was the appropriation for the State Appellate Prosecutor. The State Appellate Prosecutor's cut is 15.6%, \$1.2 million. The State Appellate Defender, who's on the other side of the litigation on criminal appeals, is being cut 35%, which is a \$3.0 million reduction. It's not fair to the State Appellate Defender to be cut twice the amount of the State Appellate Prosecutor, when both of them have essentially the same case load, and, in fact, the State Appellate Defender has a heavier case load, in that they represent appeals in Cook County; whereas, the State Appellate

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Prosecutor does not. The State Appellate Defender also handles capital case appeals, whereas the State Appellate Prosecutor does not. Under the Governor's proposed 5% reduction, it would have meant a layoff of 27 employees. Under this Amendment, there would be a loss of...a layoff of 50 employees in the Office of the State Appellate Defender when they only have 120 to begin with. That's a loss of over 40% of their employees. It would wipe out their entire operation, and for those who aren't concerned about that, let me just suggest to you that maybe it is a matter of concern in that this office is responsible for filing the appeals of indigent defendants who are convicted in criminal cases. It's a Constitutional mandate. If those appeals are not filed in a timely way, what happens is that the court cases are backlogged and justice is denied and delayed. The number of capital cases that they have responsibility for, those are the death penalty cases, Ladies and Gentlemen, will be backed up even further than they are now. That is not good for the criminal justice system, and I think this Amendment would emaciate this agency and should be re-thought. So, whether or not it passes at this stage, I'm hopeful that as this Bill moves through the deliberative process, that we'll do a careful review of whether we want to simply wipe out the Office of State Appellate Defender, and to treat them in discriminatory fashion, relative to the...their counterpart sister agency, the State Appellate Prosecutor. It's not fair; it's not good government; it's not good for the criminal justice system; it's not workable; it can't be done. Thank you."

Speaker McPike: "Representative Hannig."

Hannig: "Well, yes, thank you, Mr. Speaker and Members of the

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House. Just to rise in support of the Amendment. We have to make some very difficult decisions here today. Some of them hurt farmers, some of them hurt coal miners, some of them hurt lawyers, some of them hurt poor people but what we have to do here today in this Assembly, is to begin to fashion a budget that comes up and makes sense at the end of the fiscal year. We have to make these hard cuts. It's easy for every agency to come in and say, 'Well don't cut us. Cut those guys over there and those guys over there, but don't cut us. And that's the thing that we have to resist here today. Yes, it's easy to say, you know, cut everything except mine, but the truth is we have to make cuts to every agency that we look at today and while I know Representative Homer has very strong feelings for this agency, we have to simply, simply have to make these cuts, and I would support Representative Hicks and urge a 'yes' vote."

Speaker McPike: "Representative Tenhouse."

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

Speaker McPike: "Yes."

Tenhouse: "Just a couple of questions. First of all, we are talking about cuts in personnel. Representative Hicks, how many attorneys would probably go...You were talking about personnel, I guess we include attorneys as staff."

Homer: "Representative, I'm sorry, I was discussing with staff.... Could you ask the your question? I apologize."

Tenhouse: "We are talking about these cuts, how many attorneys and how many other staff would be impacted? Do you have any idea, Representative?"

Homer: "Representative, we didn't differentiate between attorneys and staff. We simply looked at the administrative positions and went down and took that money out based on

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administrative positions whether they were lawyers or whatever they were."

Tenhouse: "Well, I mean, that's one thing. Of course, we won't get into that particular area. Yes, I was hoping to say that I'd support the Bill based on that particular issue, but nevertheless we did.... One other quick question, I think, to bring it back to the...and that is the federal funds question. Would there be any impact as far as our ability to access federal dollars as a result of these cuts, Representative?"

Homer: "Representative, it was never our intention in any way in any of these cuts to hurt federal funds, and if you have somewhere that we're hurting the delivery of federal funds, then, certainly, I would like for you to share that with us, and we'll be happy to work with you to insure that we are maximizing all the federal funds coming into Illinois."

Tenhouse: "Thank you, Mr. Representative, and to the Amendment. I would urge the members of this aisle to support this Amendment. Again, we're talking about the same thing as Representative Hannig and others have brought about...mentioned earlier. These are extremely difficult cuts, but, unfortunately, we're going to have to take cuts in a lot of areas. I urge your support on this side of the aisle. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Mr. Clerk will take the record. On this Amendment, there are 97 'ayes' and 14 'noes'. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3545. Mr. Clerk,

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read the Bill."

Clerk O'Brien: "House Bill 3545, a Bill for an Act appropriating funds in relation to Build Illinois Plan. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Tenhouse and Wait."

Speaker McPike: "Representative Tenhouse."

Tenhouse: "Yes, Floor Amendment #1 would simply add the reappropriation that was left out by error when the Bureau of the Budget with the drafting of the Bill, and really it includes money for the State Board of Education math and science equipment. I would ask for the favorable passage. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3546. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3546, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Agriculture. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. Floor Amendment #1 reduces the Department of Ag's Budget by \$5,992,500, of that \$5,395,700 is GRF money.

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Excuse me, I'd like to withdraw #1. I'll discuss #2. Save those remarks, please."

Speaker McPike: "Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, I'll just continue my remarks. Mr Speaker, the GRF and the reduction is \$5,395,700; other is \$596,800 for a total of \$5,992,500. Those cuts come in various...items with the reductions in subtractual service, personnel services, basically, throughout the department of 5%, with the elimination of positions such as Executive 1 and Executive 5 in the Administrative Services Division, all the way through. It's not intended in any way to close down DuQuoin Fair, as I've already had calls today saying that this was going to close the DuQuoin Fair, that it's also more reductions in DuQuoin than in Springfield. That's not the case. It was not our intention in any way to do that. We've also had calls who say the animal labs in Galesburg, the animal lab in Centralia, Illinois was going to be closed, absolutely false. Not our intention. It is not something we are trying to do. Be happy to answer any other questions anyone may have."

Speaker McPike: "Representative Ryder."

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

Speaker McPike: "Yes."

Ryder: "Representative I...in your comments you just indicated that it was not your intent to affect the meat inspection items. However, you did make cuts in that area. Perhaps, you can explain to me how those cuts will not affect the inspection of meat and the safety of meat for the consumers of Illinois."

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Hicks: "Yes, Representative, in that particular division there are vacancies currently there that we're cutting those vacancies out...in order to be able to eliminate that. If they're currently operating with those vacancies, then I see no reason why they cannot continue to operate without those vacancies."

Ryder: "Representative, our information indicates that in the Whole...wholesome meat fund cuts, is that the same area that you were discussing, that had the vacancies?"

Hicks: "Yes, Representative, in that division we've got a 5% cut in personal service cuts."

Ryder: "So, it's your intention by that cut not to eliminate any current employees, but rather to eliminate vacancies?"

Hicks: "Representative, we first took the vacancies that occur in that, if, in fact, a 5% cut would mean a slight reduction in personnel, I think that's good government."

Ryder: "I understand your definition of good government. Does that definition include having meat inspectors who are currently working being laid off by the department? Is that not the effect of your line item cut?"

Hicks: "Representative, with the information I have provided, I'd be happy to give you a copy of the actual letter...."

Ryder: "I think I have a copy Representative."

Hicks: "I have as of May the 8th, 1992. It says the vacancies that are currently there. I have a vacancy in the meat and poultry inspector for \$1,867 a month. I have...five vacancies, actually, in there. I have one Vet Program Manager at \$2,767 a month. Those vacancies are there in the Ag master fund. I have three current vacancies of products and standards inspectors. All those type of vacancies are there in that wholesale meat division, though, I currently am sitting with six vacancies, no one

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using them, and I think this represents that type of cut."

Ryder: "Representative, you and I are not arguing about vacancies that exist. That wasn't part of my question."

Hicks: "Representative, if it appears I'm arguing with you, I apologize. It's not my intent to do that."

Ryder: "No, I understand that, you're far too much of a Gentleman to attempt to do that on the floor of the House. I'm simple trying to understand if your figures, and I apologize because....it's a complicated budget and we're doing our best to understand, if your budget simply eliminates funding for the vacancies that you just discussed, or if the effect of your numbers, in addition to eliminating those vacancies, also will take current employees who are inspectors out of force."

Hicks: "Okay. Representative, if you'll follow with me on the report that I have furnished to me by the Department of Agriculture: In the Wholesale Meat Division, they currently have 99 actual people working, a 5% cut of that would be somewhat less than five people. Currently, in there they show six vacancies. If I eliminate the six vacancies, then I would say I would be even slightly above a 5% reduction. I would be closer to a 6% reduction if I eliminated all six. So, really, it appears to me they may have one of those six vacancies; they may be able to put somebody back to work if they needed to fill it, so that's what it appears to me with the information provided to me by the Department of AG."

Ryder: "Fine. I think we're getting some place then. Your elimination of funding for vacancies would then allow the current employees to continue. That's a positive sign both in the savings of the...department as well as the Meat Inspection Department. Representative, does that continue

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over the other funds? Is that a consistent application over the other funds where you may have vacancies and places where you've taken cuts?"

Hicks: "Representative, I was consistent in my percentage cuts throughout the department, basically, looking at a 5% reduction in personnel in those area. If, in fact, there were no vacancies, then to answer your question, I believe there would be people laid off. So, I think that there probably would be some people whose positions would no longer be available to them. If there were vacancies as we have found in many different areas do exist, then I would, without going into each one of those details as we did the wholesale meat, believe that there would be areas in which those vacancies would come first, certainly, and then maybe there might only one or two that might have to be laid off."

Ryder: "Representative, does your Amendment cover grants for soil and water conservation?"

Hicks: "No, Sir, it does not."

Ryder: "Does it cover operations for soil and water conservation?"

Hicks: "Yes, it does cover operations for that."

Ryder: "And what is the cut, either in dollars or percentage in that area, please?"

Hicks: "Thank you, Representative, for asking that and bringing it to our attention. That's a 15% cut in those for clerical and other personnel. Also, the education and promotional assistants and for expenses of Water Conservation District boards. Those are all cut 15%. So, the actual operations are what's being cut of some \$530,000."

Ryder: "Thank you for that. In your comments in the introduction

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of this Amendment, you indicated that you would not eliminate either of the state fairs, either in Springfield or DuQuoin. Did you, however, eliminate maintenance on those facilities?"

Hicks: "Representative, we made substantial cuts both in both of those facilities in areas that we felt like that at this point in time, were not something that we thought was a good expenditure of state funds. We've made substantial cuts in both places. There's no doubt about that. We cut such as awards at DuQuoin by 10%; the harness races at DuQuoin by 10%; we cut awards at the Illinois State Fair by 10%; the livestock breeders fund by 10%; we cut several different of those things at the fairs that we felt like was something that needed to be done."

Ryder: "Thank you, Representative."

Speaker McPike: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. Would the Sponsor yield? I have a couple of questions here. On page 5 of this Amendment, Representative...Well, wait a minute here we're on...well, we have another question while we're digging through here. One of the things we're looking at here, according to what we're finding out, there's a five-year contract...."

Hicks: "Representative, we're having trouble hearing you over here."

Tenhouse: "Okay."

Hicks: "I don't know if maybe you could get a little closer to the mike or I can listen a little more closely, but we really are. It's not...I don't think it's my hearing."

Tenhouse: "Yeah, how's this? Yeah, how's that?"

Hicks: "Okay."

Tenhouse: "On the...We show that there's a five-year contract for

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purchase, basically, of part of the lease purchase of the current computer system that's used in the Department of Ag. Right now as we find there's three years left to go on that contract. That's some of the dollars that were reduced as far as EDP is concerned. Is our information correct, or do we have a problem?"

Hicks: "What you're saying is the computer contract or equipment cut that we're making, that's on a current lease basis is that what you're referring to, Sir?"

Henhouse: "I think so, it's hard...We're having the same problem over here, Representative, as far as hearing what's going on."

Hicks: "Well, I guess, Representative, I could tell you that we're not aware of cutting a contract that they currently have on line. It would be something certainly we would look at if it's going to cause a problem with a contract that we've signed. It's not something we intended, to go after a contractor or anything like that; that was not something we intended to do. We would be happy if you'd share that information with us; we'd be happy to look at that, Representative."

Tenhouse: "One of the other questions we have here, you mentioned the fact that closing...It's not your intention...intent to close Galesburg and Centralia facility, but, I guess, that facility is being leased now and that comes under the line that contractual services, General Revenue Fund, and the reduction in that fund of from \$944,000 to \$566,900, at least indications are to us that would now allow them to have the dollars to go ahead and lease that facility. Do you have different information on that, Representative?"

Hicks: "Representative, what we attempted to do was, we looked at all the contractual...items that we have. Anywhere that we

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had rental on any of these budgets, any type of rental contracts for buildings, leases that we had to have, we did not in any way cut those contractual obligations that we had. It was not our intention to do that. We did look at other contractual items such as supplies, commodities...and that type of thing and reduced those type of things that we felt like were purchased on a monthly basis, but nowhere that we had long-term rental contract leases did we attempt to modify those leases or cut money in the modification of that; that was not our intent to do that. If we've done that in error, we certainly will work on adjustment on that."

Tenhouse: "As...as far as the...the cut is concerned, then, so you're saying you think the cuts can be absorbed in other areas and still keep the Galesburg and Centralia facilities open?"

Hicks: "That's correct, Representative."

Tenhouse: "Thank you, Mr. Speaker."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield? Representative Hicks, a question in follow-up to the meat inspection program. Is it not true that half of that money that goes to fund that program comes from the federal government?"

Hicks: "Representative, staff informs me that we have a separate program away from the federal government, that ours is not funded with federal money, that we fund it ourselves."

Ropp: "Okay. I thought it was some matching money that we had to put up so much and it was matched in order to operate the meat inspection program, half of it came from the federal government. Well, a follow-up question relative to the funding for biotechnology research and development

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corporation in Peoria. How many dollars have we spent in that area, and what are we going to eliminate by not funding it?"

Hicks: "Representative, would you ask that again, please?"

Ropp: "Yes. Under your Amendment, you're eliminating funding for Biotechnology Research and Development Corporation at Peoria. What are those funds used for, and how much are you eliminating it?"

Hicks: "Representative, as I understand it, we are eliminating some \$40,000...excuse me, \$60,000, as requested. Originally that was a \$4,000,000 commitment made by Governor Thompson. It's my understanding, in actual grant money, we've so far put in \$3,000,000 of the \$4,000,000. Last year, there was no request made for money by our current governor. This year's request of \$60,000 we simply said, we still can't afford it as we could not afford it last year; we've eliminated the \$60,000 of requested money."

Ropp: "It is my understanding that with the amount of money that the state has put in, we have been able to generate more than \$11,000,000 either from grants or from federal moneys as a result of this seed money that we have. Isn't this Amendment putting in jeopardy sizable amounts of outside research money?"

Hicks: "Representative, you and I both have been around here long enough to know that from time to time we're told, 'Oh, well, we have to provide this state money because the federal money is gonna give us so much more to go along with it.' And I guess I would say to you, Sir, that there comes a time whenever state moneys run out and we just don't have the state money to be able to go after additional federal money. So, I think, right now, with

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this appropriation, we don't have the other million dollars at the moment that we think we can spare. Hopefully, next year the economy will turn around enough that we can go after that money."

Ropp: "Well, I just think there are times that we are maybe pound-foolish and penny-wise or vice versa, because it just seems like that areas that we can really invest in our future, we're attempting to cut off, and this looks like an area that we're doing that. I have one other question."

Hicks: "Representative, if I may answer that. You know, the Governor didn't see fit to fund that line item last year, so, I...I don't see why if the Governor felt like it was not an area that we ought to go after last year, then I guess I feel like we should'nt go after it either."

Ropp: "Well, what we actually do in the legislative Body is to come up with the budget to...to meet what we consider to be adequate and appropriate. The other question that I have deals with kind of a philosophical question that you are attempting to address, which, I think, sends a very poor message to all directors in state government and that is, if those positions currently are not filled, they're automatically ready to be eliminated. I think there are times when, in fact, positions may be open because we're looking for replacements. What you're going to send the message is that by, golly, next appropriation period, if we've got a vacancy, we fill that sucker up with somebody right away so that it won't be cut. I think what we are attempting to do is to provide efficiency in operation, and there are many times when people in state government are looking for the very best qualified people to come to work, and to just say if we have open positions that they can be eliminated, particularly, particularly, Representative, in

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the Department of Agriculture, which is an agency that predominately deals with the inspection of foods, food products, weights and measures, gasoline and every other kind of thing, that, frankly, provides the health care and safety for every, every citizen in the State of Illinois. It's probably the only department in state government that affects every citizen every day of their lives. Thank you."

Hicks: "Representative, I...I would somewhat agree with the comments you just made, but you know in the last few days we've found that agencies have already learned how to get by that. Directors have already learned how to do that. We had an agency just yesterday said, 'Oh, well, you know, there happens to be another 38 positions that are vacant, but we just haven't told anybody they're vacant yet. They still have names on 'em, and nobody's in those jobs and we're not funding them, but they still got a name on it. We haven't declared them vacant as of yet. So, I think directors have already learned how to do that Representative; they've already learned how to protect those positions when they want to. I've been around here in the Appropriations Committee for several years. Every year we eliminate vacancies, and every year state government grows and grows and grows, and I think, Representative, that eliminating the vacancies is somewhat ludicrous around here because they sure find ways to create new positions."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 81 'ayes' and 27 'noes'. Amendment #2 is adopted. Further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3547. Mr Clerk, read the Bill."

Clerk O'Brien: "House Bill 3547, a Bill for an Act making appropriations to the Illinois Sports Facilities Authority. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3548. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3548, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hannig."

Hannig: "Withdraw 1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Hicks."

Speaker McPike: "Representative Hicks. Withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Hicks."

Speaker McPike: "Withdraws Amendment #3. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Amendment would make a reduction of \$22,609,900 in

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GRF. This Amendment provides that no new facilities will be opened in Fiscal Year '93. It also provides that we would freeze the Pere Marquette and Kankakee budgets at last year's...this fiscal year's level, and it would provide, as I said, for a savings of \$22,000,000. Again, as we go through this process, people in the State of Illinois want to know how we can be opening new prisons, how we can be building new horse barns, how we can be putting hundreds of people to work in the State of Illinois in new positions that are created every day by the Legislature and by the Governor, and yet, we hear from the Governor and from us as Legislators that we're in a budget crisis, that we can't make ends meet, that we just don't have the money to pay for Public Aid or increase money for education, or to provide for any of the other services that we, as individuals, would like to see done and that our constituents would like to see done. Yes, this is another one of those tough votes that we're asking you to make again this evening, but, again, it's the kind of thing that we need to do in order to save sufficient money to plug that \$350 million budget hole that we now have in our budget because we have no new taxes, and because we are not...and because we defeated the proposal to take the money away from our communities earlier today. This is a big step in the right direction. I know it's controversial. I know it's difficult, but I would ask for your 'yes' vote."

Speaker McPike: "Representative Tenhouse, on the adoption of the Amendment."

Tenhouse: "Thank you, Mr. Speaker. Would the Sponsor yield for some questions?"

Speaker McPike: "Yes."

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Tenhouse: "One of the...I guess one of the questions comes up here is, what is the present capacity of the Department of Corrections...inmate capacity?"

Hannig: "I understand that it's somewhere just over 30,000 is their normal capacity."

Tenhouse: "No, I think we have a rated capacity...."

Hannig: "I'm sorry, I guess that's their current number of people, prisoners in the system."

Tenhouse: "I think our records show that we have about...a capacity of 24,095 and at present we have \$30,240 prisoners, or 30,240 inmates. When do you expect that we will reach the crisis, the breaking point, as far as this situation is concerned? We're over 6,000 over the population or the rated capacity."

Hannig: "Well, Representative, we're suggesting that the Department of Corrections, like every other agency, make every effort to...to double cell, if necessary, where appropriate and to provide us with the capacity to keep these people in the prisons without having to open these new facilities because they are going to cost us money, and we don't have money."

Tenhouse: "Do you have any idea, at the present time, how many inmates are currently double-celled, Representative?"

Hannig: "Representative, I know that we're above capacity, so obviously, we're doing some double-celling. My point is that I believe that we need to make significant budget reductions if we're going to balance this budget. I know it's difficult to ask any agency...department, whether it's Corrections, or Agriculture, or anything, to make budget cuts and take budget reductions, but it's my understanding that even after we make these budget reductions in this budget, it will still be over last year's level."

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Tenhouse: "To answer the question, I think, as I happen to have a real good source down here since Director Peters is standing here. We're talking about April of 1993 when we hit the crisis point as far as the inmate population. They can't absorb any more people than that, and that's based on present staffing patterns, and, I guess, in conjunction with that what these cuts that we're talking about are the \$22,609,900. I understand what we're saying here, Representative, but when...Do you anticipate bringing these on line later on in this fiscal year if money becomes available, or are we gonna lease these facilities or...?"

Hannig: "Representative, I would hope we could come back to this Body in November after the elections, and the Bureau of the Budget would say that the economy is booming, that we've got millions of dollars now available, and that the Legislature should look at restoring some of those programs that we could not enact this June. But, right now, we are in a budget crisis and even with these Amendments, this budget is still higher than last year and we know that we've heard the crying about the other agencies that we cut 10%, 20%, 30%, 40% and this agency will still be higher, even with this significant reduction."

Tenhouse: "One of the other questions in relation to that, as well: What are we going to be doing with these facilities Representative? In some cases they've sat empty for over a year as far as maintenance. Do we have any dollars budgeted to maintain these facilities while we have no inmates and no staff?"

Hannig: "Well, Representative, last year, as you said, some of these did sit vacant for a period of time, and I would anticipate that we'd have to do the same thing again this year."

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Tenhouse: "Another question, I think. One of the things we have a court order that the state is going to be forced to develop the...a women's facility at Kankakee, and I see that that's one of the facilities that's being phased out...or I shouldn't say phased out, but you're removing the annualization adjustment for the Kankakee Womens Center, is that correct?"

Hannig: "Well, what is the capacity of Kankakee?"

Tenhouse: "Well Kankakee as we're told, is supposed to be a womens' facility, is that correct? And it's a court order that we're supposed to be moving ahead with that?"

Hannig: "Okay. It's my understanding that they're not at their current...that they're not at their capacity in Kankakee."

Tenhouse: "I guess let's get down to the real nitty-gritty here, Representative. How many personnel are we talking about that are going to be eliminated as far as open staffing positions right now, and how many additional staff are going to be laid off under Amendment #4?"

Hannig: "Representative, Amendment #4 deals primarily with the new facility. We're not gonna hire any new guards because we're not gonna open the prisons if this Amendment is adopted and ultimately becomes law. So, it's not going to lay off anyone at a prison where it never opened. Now, obviously, some of those people in those communities would hope that they could get those jobs, and maybe it's a sad case that we have so many communities asking for prisons today because they need the employment, but the simple fact is, we don't have the money."

Tenhouse: "But under any scenario, would we add...would we fill vacancies and add any staff between now and the end of the fiscal year?"

Hannig: "I'm sorry, I couldn't hear your question."

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Tenhouse: "Under this Amendment, would we fill any vacancies or add any...fill any staff open vacancies is, I guess, what I'm saying, as far as the correctional officers are concerned?"

Hannig: "I guess I don't understand the question. What we're trying to address in this Amendment, (and there'll be subsequent Amendments to talk about other reductions), but this Amendment deals with primarily with not opening facilities that are built but not yet...have any people in them."

Tenhouse: "To the Amendment. Mr. Speaker, Members of the House. I think those of us who were down at the Menard Prison this winter, truly appreciate what the correctional officers are going through, and we can talk about these cuts and how they affect agriculture and some of the other agencies we're talking about, but this is a different situation. We're talking about these peoples' lives, these C.O.'s are putting themselves at risk every single day. And to talk about a system that's going to explode in April of '93 and then sit without the ability to bring these facilities on line that are already constructed, is not a wise move. As we run into the hot periods of the summertime, you know, I don't...I understand exactly what we're talking about here in terms of cuts, but this is one case where we're truly talking about jeopardizing a public safety, not only of the inmates, but especially those correction officers who are there to take of them, and I think that I would certainly urge that we vote 'no' on this Amendment and go back and reexamine some other ways to make less draconian cuts unless we want to put this people at risk in the future. Thank you, Mr. Speaker."

Speaker McPike: "Representative Weller."

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Weller: "Thank you, Mr. Speaker. A question of the Amendment's Sponsor?"

Speaker McPike: "Yes. Yes."

Weller: "Representative...Representative Tenhouse caught my attention as he was questioning you regarding the impact of this Amendment on Kankakee...minimum... Womens' Facility at Kankakee, a new facility that's open. As I understand under this Amendment, you'll be cutting funding for that facility. Can you explain for the those of us here, again, the impact of this Amendment on that facility?"

Hannig: "We would freeze those - the Kankakee and the Pere Marquette prison situations - at last year's level. We would not cut them, but we would freeze them at last year's amounts."

Weller: "Can I ask where...How did you what formula did you use to base your recommendation of this funding cut for Kankakee?"

Hannig: "For the most part, we simply looked at what they spent last year and said that's what we'll allow them this year, but no new add-ons."

Weller: "Did you recognize that they had only a partial year's funding because this was a new facility last year?"

Hannig: "We understand that they had 11 months funding last year, but we're trying to provide a budget that is reduced in every way and so, in this case, we are asking them to simply to absorb that."

Weller: "I see, and would they, under the basis of your Amendment would they be able to handle the additional prisoner load? The additional population that they were expected to receive there this year. Or would your Amendment prevent them from handling these additional prisoners?"

Hannig: "Now, you have to remember that every agency had the 2%

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transferability, so that...in one group or the other group they can move that money back and forth within the 2% that we allow so they can overrun one line item by 2% as long as that's made up somewhere else. So, in effect, they do have more than...they have more than just the amounts we give them with this Amendment, if they can make cuts somewhere else."

Weller: "Well, thank you, Representative."

Hannig: "So, they have flexibility."

Weller: "To the Amendment, this is a terrible Amendment. I think all of us are very concerned about the safety of our correctional officers. I think we are also very concerned about prison overpopulation and trying to address those problems in a fair and equitable manner, particularly for the taxpayers and the citizens who obey the laws of this state. Speaking towards the impact of this Amendment on the Kankakee Womens' Minimum Security Facility. This Amendment jeopardizes this whole facility, this facility is a new facility that was established as a result of a court order and the Department of Corrections is attempting to respond to that court order and put it into place. Last year, they, of course, started this facility on a partial year's funding and this Amendment only provides for this coming year funding at that same level as last year. Well, that will not provide the necessary funding to keep that facility open, so if you want to send all these gals back to the other correctional facility, which is way overcrowded, and endanger the correctional officers, then I guess you can vote 'yes'. But there's only one responsible vote on this Amendment, and that is a 'no' vote. You care about prison overcrowding and if you care about the safety of correctional officers, vote 'no.'"

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Speaker McPike: "Representative Homer."

Homer: "Thank you, Speaker...Mr. Speaker. What we're doing here today, I think, is commendable, in a large part, in that we are facing up to our responsibility to do what's necessary and do what's responsible even if it is painful, but I think we better take a second look at this...this Bill. If we want to be responsible, I think we have to ask ourselves how could we introduce over 200 Bills assigned to my House Judiciary Committee - the vast majority of which would create new crimes or increase penalties for existing crimes - and then turn around and vote to take away money to house these inmates. We, at the end of this budget year, on June 30th, will have 32,000 inmates in our prison system largely because of tough sentencing, mandatory sentencing, laws that we passed. That'll be 32,000 inmates in a system that has a capacity for 20,000. Seventy-five percent of our system now is double-bunked. What we have here is a proposal that would keep an additional...that would close...that would take away an additional 1,800 prison beds at a time when we are sending more and more prisoners to the prison system. That, Ladies and Gentlemen, is not responsible. That's not being responsible; that's being hypocritical. We can't have it both ways. You can't have a voting record down here where you vote to be tough on criminals and then you turn around and take away resources and close prisons. You can't do that and go back and look your voters in the face and say, 'I'm a responsible Legislator.' You just can't do that. You might try to do that, but when this system explodes, as it's going to, and there's going to death to not only to inmates, but to prison guards, like there was in 1978 in Pontiac, only on a larger scale, then you're going to have to look yourself in

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the mirror and say, 'Yeah, I put in all those tough Bills and I voted for all those tough Bills, but when it came time to adequately fund corrections, I took away their appropriation.' Now, we have prisons that we've already paid for and built, a \$50 million prison down in the Mount Vernon area called Big Muddy, that's sitting there moth-balled, and if we don't fund the...the appropriation to staff that prison, how responsible is that? You go home and tell your taxpayers, 'Well, I just spent \$50 million of your money for nothing for a moth-balled facility.' Now, if that's responsible...I would like the definition of responsibility. So, yes, let's be responsible today. Let's make the cuts when they are deserved, but let's not do something that's totally hypocritical and increase the burden on the prison system and take away their resources to handle the prisoners. So, I think this is an area where we ought to rethink our position and the right vote is a 'no' vote on this Amendment."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, especially on the Democratic side of the aisle, I don't like this any better than anybody else. That's the first thing I said when we started this process in our House Democratic Caucus and when we started about it on the floor. So, I prefer to be like everybody else: Vote for all the good things and have a nice pleasant life down here. But we don't have the money. We do not have the money to pay for everything that everybody wants to do and if you're about the business of reducing of state spending, you can't do it without touching the major agencies. You can't reduce state spending by dealing with the small agencies alone. You've got to reduce spending in all

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agencies and that includes this one and, as I said, I don't like it any better than anybody else, but I'm going to vote 'aye' on this Amendment because it's the only thing we have to do. Thank you."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I don't think any of us like doing what it is that we have to do today. I'm sure that we would all prefer to do what the real Speaker just said, come down vote for extra money, go home, have a nice life, but you see it's not all 'yes' or 'no'. There are also some areas in here where we can talk and we can negotiate. I would submit to you that this Amendment goes too far. I would submit to you that there are some areas in which we can do some good. This Amendment just happens to take a meat axe approach to something that I think we should spend a little bit more time, a little bit better idea of how to fine tune it. So, I'm going to be 'noes' on this Bill. I think there is some areas to cut. This Bill doesn't do it in the way that I wish it to be done and for that reason that I would oppose the Amendment, but there are savings that we need to do. There are cuts that we need to make. This Amendment is not in complete accord with what those cuts should be."

Speaker McPike: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. How soon we forget. It's ironic I'm hearing about public safety, prison guard safety (and I'm all for prison guards), but last year when we were talking about the safety of thousands and maybe millions of citizens in this state, I didn't hear anyone scream about public safety and the need to make our towns, our cities, safe for our children, for seniors, for ourselves. I didn't hear that."

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How soon we forget. We're talking about leaving room open to talk. I remember going in the back and negotiating in good faith with the Governor's Office to give a two-year program to help the so-called employables transcend from welfare to being able to live for themselves, to do for themselves (sic-themselves). That was done in good faith; nine months the first year, six months the second. What happened to the second year? It was reneged. So, we want to negotiate now that some of these cuts are hitting close to home. I don't like to see prison guards be life-threatened, but we got people in our communities right now that are life-threatened. Sixty-thousand employables in the City of Chicago are going to be without health care or any moneys by which they can survive on. I didn't hear the uproar and upcry last on this. I'm not saying that I'm for or against Amendment #4, but how soon we forget. If were going to save the prison system, I'm fine; let's save the prison system, but let's save some of the other people in this state that cannot defend themselves and take care of themselves. When I start hearing that from other Members in this General Assembly, then I might be a little bit more concerned about some of the cries that I'm now hearing from some of the Members of this General Assembly. I agree with some of the previous speakers. Everybody's going to have to take a hit. As a colleague of mine told me last spring, he said, 'You're going to make us slaves.' Well, I said, 'Let us all be slaves.' Thank you."

Speaker McPike: "Representative Matijeich."

Matijeich: "Mr. Speaker, sometimes when your back is up against the wall, you may do the right thing. The Governor, as you know, has a task force looking into alternatives...to incarceration. It always bothers me during the Thompson

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years...that we used to actually, sort of, auction off, as...(and virtually most of it was downstate, too), auction off to the highest bidder where we're going to have a new prison. The prisons were our number one growth industry and in one year 75% of our capital budget was the construction of prisons. Now, there's something wrong with society when our growth industry is prisons. There's something wrong with our state, if we don't try to provide alternatives to incarceration. I don't think that...This may be a tough vote yes, but it may finally gear us into what we ought to be doing-looking for alternatives to incarceration. I cannot believe (and somebody can attack me politically for this), I cannot believe that all of those 20...000 or 30,000 that are in prison are all, quote, 'bad persons'. The fact of the matter is, most of those 30,000 people in prison are there because of drug-related offenses. There are other ways both to punish and treat people with drug-related offenses. They can be good citizens. In fact, we know that some people in their youth were participants in gangs and became good citizens when they find that their energy should be directed in positive manner. Now, I think that we, as a state, have got to be looking at those alternatives. So, this bad vote that we all are going to now vote, may turn out to be, in some effect, a good vote because we may finally be headed in the right direction. I saw a quotation once about how many people throughout the whole country at this moment somewhere in this country (I think it was Judge Getty) at a conference quote...and I couldn't believe the quote when he said 'one out of 300 people at that instance were somewhere incarcerated in the country, either in a county jail or in a prison, but somewhere were confined.' My God,

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that...that tells us that's something wrong so let's find out what's wrong and get at the cause of it, not at the symptom of it and maybe this will head us toward that direction."

Speaker McPike: "Representative Weaver."

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

Speaker McPike: "Yes."

Weaver: "Representative Hannig. In looking at our numbers, a little curious about where the money the actual reduction to the Kankakee facility is coming from. Are you basing that on the Fiscal Year '92 approp or on the Fiscal Year '92 expenditure level?"

Hannig: "On the expenditure level."

Weaver: "On the expenditure level, and you're aware that was only seven months, not...not 11 months, as...as was previously mentioned?"

Hannig: "Representative, we've tried to put together a budget at last year's level that would provide for no new increases, and this agency we are trying to in this particular prison, we are trying to ask the agency to live with last year's number. They do have the 2% transferability, if they want to take an advantage of that."

Weaver: "But you understand last year's number was seven months not 11 months as you may have based your figures upon, so the reduction is actually going to be a lot harder hit than...than it would have been had you used a seven-month figure. Mr. Speaker, to the Amendment: This is dangerous. This is very, very dangerous from a number of different reasons. One is, the error that is the basis of the reduction. The second part is, you may not be aware of this, but we're spending approximately half to

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three-quarters of a million dollars just in keeping the moth-balled prisons moth-balled. Why don't we use that money to open one of them. And the third dangerous part of this proposal is the very definite possibility of the federal court's jumping into this procedure because of overcrowding, double-bunking and the danger that...that this situation may provide, and it's going...it's going provide them with two options: One is to order us - the federal courts could step and order us - to expand our prison facilities which means to open up these prisons, or number two, they would put convicted criminals back on the streets for us. In either case, I don't want the federal government in here running our prison system. That's our responsibility. I don't think we're addressing it correctly, and I think the only sensible vote on this is 'no'."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentleman of the House. To the Amendment, you know, if you just play back a tape of some of the comments that we've heard here in the last few minutes, who's responsible for all this? Who passes the laws that says home invasions are going to be a Class 1 felony? If you steal a bicycle from an attached carport, that's home invasion and you're going to do prison time. Who's passed all these laws? This Body has passed those laws. That's why we have 30,000 people in...in our correctional centers. Why did we start building prisons? The federal courts told us we had to because we couldn't double-bunk in the prisons that we had in 10 or 11 years ago. It was a court mandate. There isn't anything I think this Body at that time just decided it would be a nice thing to do. Now, Ladies and Gentlemen

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of the House, you can't have it both ways. You can't go over here...You can't stand here day after day and vote for harsh punishment, run on that platform-law and order, get the criminal off the street and then turn around as a Representative said awhile ago and vote for this Amendment that won't allow any new bed space to open up, we'll close one that's already in order and endanger correctional officers. In the correctional center in my district today, they have 100,603 inmates with the same number, excuse me, eight fewer correctional officers that they had when it opened in 1985 when that prison was built for 854 inmates. Now, you can't have it both ways. You can't lock them up; you can't run on law and order; and then fail to provide the correctional system with the dollars they have to have to keep those people where, we have said, they should be. Now, Ladies and Gentlemen, alternative sentencing may, indeed, be the salvation to reduce the population of the future. It isn't going to do anything for the 30,000 people that are in there right now due to the laws that you and I passed. If you pass this Amendment, make no mistake about it: You'll be leading to early outs or we will have a very, very uncomfortable summer, putting people in jeopardy who didn't ask to be put in jeopardy. We made promises to those people; now we need to prioritize. Yes, indeed, a previous speaker said, we don't have the money. (I don't even know why we're here arguing about that. Both sides agree we don't have the money.) Now rather than just cut willy-nill or slash this budget with a very dull and a very bloody knife, we should be...doing a better job of prioritizing where we spend the money. You better not be penny-wise and dollar-foolish when it comes to doing what you have mandated those correctional officers must do and

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that is to watch over the inmates who are there because of the laws we passed. This is not a good Amendment. I don't think it's been well thought out. Those of you who vote for it will be called to answer, when the summer gets a little a hot and you put people in this state, who work for this state, in jeopardy. I won't vote for it. No way. No way. We're going back on the Bills that we've passed and the words and promises that we've made, now we have to, yes, have to make the hard decisions. Let's prioritize. Thirty-thousand inmates have to be taken care of. You can't wipe that off with an Amendment. You can't disallow court mandates. This is a bad Amendment, and if you vote for it, you will be held accountable for what happens in that system in the next year."

Speaker McPike: "Representative Daniels."

Daniels: "I join the previous the speaker in opposing this Amendment, and I understand, of course, what...those of you on the Majority side of the aisle are attempted to do and, as a matter of fact, in many instances, I applaud what you're attempting to do in the general appropriation scheme. I think we ought cut the size of government. I think we ought to reduce jobs that are non-essential. I think we ought to eliminate those positions that don't really serve people in the central businesses. I think every department ought to be viewed carefully, but study and carefully review what you're doing here. We have a Director of Corrections, who, I think, is one of the finest public servants that a person or constituency of Illinois could be asked to have serve us in this very difficult area. He just told me that if you adopt this Amendment that you will place the Department of Corrections in serious jeopardy and there may be tremendous problems

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within the Department of Corrections in housing prisoners that are being sent to the department as a result of laws that you have passed on mandatory sentencing, a crack down on crime, violation of some of the problems that we're facing today and, yes, Bills that you are passing now as you're speaking at this moment within this current General Assembly. Howard Peters knows what it takes to keep this system working, and he's done a tremendous job in a most difficult situation. You adopt this Amendment, you reduce this budget by the amount and you have a responsibility for the potential problems that will come out as a result of that. I'll tell you it is short-sighted. I tell you that you're making a dire mistake here and you're taking your efforts to cut this budget too far. Now, having said that, let me again repeat once again to all of you: My staff is ready to work with you in every agency to review, line item by line item, areas that we can cut in spending. If no new revenue increases are within the picture, that the Majority Party won't join in helping furnish the majority of votes in revenue increases, so be it. Let's not fool around. If you determine that we are in the hole of \$350 million, that we need that fund...that amount of money, so be it, but don't address areas like this where you're talking about the safety of Illinois citizens, and this is an Amendment that will ring throughout this state. As the Majority Party is saying, they don't care about citizens basic protection when they're talking about the corrections problem. Vote against this Amendment."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All in favor vote 'aye' opposed vote 'no.' Mr. Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. I'd just

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like to make one comment relative to the work release programs that are being unfunded in this particular Amendment. Ladies and Gentlemen, the one thing that people who are incarcerated need is some kind of reassurance moving back into society with some skills that they can acquire during these kinds of work release programs. We cannot expect the system to operate when, in fact, we're just housing individuals. They need to be prepared in some fashion. A work release program, in addition to the vocational programs are good solid programs. We are placing that program and attempting to keep those people from returning to prison from occurring. I urge a 'no' vote, so that we can continue those successful, positive programs."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, join those who have to take the tough cuts and especially in this area, but I...I think a couple of speakers have alluded to the essence of the problem why we're even considering this Amendment. Number one, look at the federal commitment cutback to education. That feeds the reason why the prisons are growing. We're getting better at getting criminals and got better laws, to be sure they're prosecuted properly, but we forgot the source of the problem, how we can keep them from going there to begin with. So, we have the lack of funds and, on the other hand, the mandates that the federal government (after at the same time cutting back with education that can prevent these people from getting incarcerated) at the same time, mandate us to build facilities and jails to give that prisoner one foot of space in counties and then, of course, the state facilities, without sending any money, so what

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can we do? Either increase revenue or cut. It's the only choice in town."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Representative Hannig asks for a verification of the...of the negative. Mr. Clerk, poll the absentees. Mr. Rotello would like to change from 'no' to 'aye'. On this Amendment, there are 57 'ayes'. Representative LeFlore would like to vote 'aye.' On this Amendment, there are 58 'ayes' 55 'noes'. Amendment #4 is adopted. Further Amendments?"

Clerk McLennand: "Amendment #5, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 makes a reduction of \$12,135,800 of General Revenue Funds. Those cuts comes as...in personal services of \$6,898,300...Actually it's the elimination of 240 current vacancies...and related items within those vacancies; also, contractual services of \$4,449,600 and other reductions of \$787,900 in GRF; \$29,400 of the WCRF Fund. I ask for the adoption of Amendment #5."

Speaker McPike: "Representative Tenhouse, on the Motion."

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

Speaker McPike: "Yes."

Tenhouse: "A couple of questions here. First of all, the personnel that's involved are there any security people involved in this reduction of personnel, Representative?"

Hicks: "Representative, it's the actual reduction of the vacancies as currently shown, the 240 positions."

Tenhouse: "So, if we have any correctional officers' vacancies at the present time, they just won't be filled, but we're not talking about any layoffs, is that correct?"

Hicks: "That's correct."

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Tenhouse: "How many correctional officers would be involved as far as this is concerned?"

Hicks: "Representative, I don't have a breakdown how many are correctional officers, how many are administrative, how many are administrative of any kind, of electricians or whatever, so I don't have a breakdown of that. It's just the actual vacancies that they currently held which was 240."

Tenhouse: "Representative, one of the other questions that came up: \$474,900 in tort payments is...is being eliminated by the action of this Amendment, and I guess the thing I was just curious, Sir, do you realize that William versus Lane court case that we have...a court order that we must comply with that \$447,900 (sic-\$474,900)?"

Hicks: "Representative, I would hope that, come the fall, if we have a turnaround in the economy, we'll be able to pay those tort claims, but simply, right now, there's not a money available, we feel like, to pay out a half a million of dollars in tort claims at this time. They have been put off for some time and we feel like...hopefully maybe put them off for a short while longer, so we can have a better recovery of the economy here and have a little more money to pay those claims."

Tenhouse: "Representative, in terms of the contractual services, I see we're looking at \$4,449,600 in medical rate in population adjustment increase. What does this involve and, I guess, how will this impact on vendors who are dealing...doing business right now with state institutions?"

Hicks: "It's my understanding, Representative, that that represents a 7% rate increase in...for inflation. It does not take care of utility or food rate increases;

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simply...is a rate inflation deal...dealing with medical rates at this time."

Tenhouse: "Will this have any impact as far as the service delivery is concerned, Representative?"

Hicks: "Well, Representative..."

Tenhouse: "...As far as the medical...the medical side is, I guess what we're concerned about."

Hicks: "We would hope not."

Tenhouse: "Okay. I think we do need to...to realize for the record we are mandated to provide medical services as far as the inmates are concerned. I don't know about you but the local hospitals and medical providers in my area aren't real happy with the payment cycle right now, and I just wondered how this is going to impact on them."

Hicks: "Well, Representative, certainly I...I share some of those concerns that you have and, you know, we do have...the ability to...ship 2% of the funds if, in fact, there would be problems with this we would think...since, as they have had done in the past, Corrections has shifted, just last year, some \$10 million...from different areas...where they might have had a little more or little less and we would hope we would do that at this fund if, in fact, there was going to be any decreases in service."

Tenhouse: "Thank you, Mr. Representative. To the Amendment, Ladies and Gentlemen of the House, I think this is...I think a real concern comes here in terms of providing the medical service...and all of the contractual services, for that matter, and concerns as far as whether or not the people are going to be paid and, in fact, will this encourage the fact that we already have a number of law suits brought by inmates for lack of proper treatment, double-celling, a lot of the other issues...Will this impact on that as well and

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will we reach a point where some of our medical providers will say, you know, we're just not going to do business with the correction alindust...correctional facilities simply because of the delay as far as payment is concerned-just questions to put out. I would certainly urge the Members to be very cautious about voting 'yes' on this Amendment. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #5 be adopted?' All in favor vote 'aye', opposed vote 'no.' Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Daniels. On this Amendment, there are 71 'ayes' and 35 'noes.' Amendment #5 is adopted. Representative Daniels."

Daniels: "Mr. Speaker, I...I've had further conversation with the direction...Director of Corrections, and I think he understands what you're trying to indicate here, and I think I need to talk to him further, so I want to take this Bill out of the record, it's is my Bill. I want to take it out of the record".

Speaker McPike: "All right. Then we will go to House Bill 2846. Mr. Clerk, read House Bill 2846."

Clerk McLennand: "House Bill 2846, a Bill for an Act to making appropriations to the Department of State Police."

Speaker McPike: "Are there any Amendments? Mr. Clerk, did you read this Bill a second time?"

Clerk McLennand: "Yes, I did. Second Reading of the Bill. Floor Amendment. Floor Amendment #1 is offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 to House Bill 2846 would be the corrections budget as introduced by the Governor."

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Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no.' Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 102 'ayes' and 3 'noes'. Amendment #1 is adopted. Further Amendments?"

Clerk McLennand: "Amendment #2, offered by Representative Hannig."

Speaker McPike: "Representative Hannig withdraws Amendment #2. Further Amendment?"

Clerk McLennand: "Amendment #3, offered by Representative Hicks."

Speaker McPike: "Representative Hicks withdraws Amendment #3. Further Amendments."

Clerk McLennand: "Amendment #4, offered by Representative Hicks."

Speaker McPike: "Withdraw Amendment #4. Further Amendments?"

Clerk McLennand: "Amendment #5, offered by Representative Hannig."

Speaker McPike: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is an identical Amendment..."

Speaker McPike: "Mr. Clerk, dump the board. Get the board in order. Proceed."

Hannig: "This is an identical Amendment to Amendment #4 on the Republican Sponsors' Correction Bill. This would provide that no new prisons open this year. It's the one we just adopted on that Bill, and I ask for adoption on this Bill."

Speaker McPike: "Representative Daniels, on the...on the Amendment."

Daniels: "We want to make sure that everyone understands. This is now a Democrat-sponsored Bill which reduces Corrections by 22,000,000 if this Amendment is filed and is adopted by all of you, and this indicates the Democrats' priorities in terms of the people's safety in Illinois and the possible

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difficulties that may occur in the Corrections Department in the event that you continue on in this way. And not in an effort to delay anything, but I think, based upon my discussion with the Director of Corrections that you are really dealing with a potentially volatile and dangerous situation, and I...go ahead and vote the way you will. You'll hear about this again, particularly those of you that have Correction dep...divisions in your district that are ready to open, all ready to open and that what you're doing here is you're going to avoid that. Now this is the Democrat standard about protection of people's safety and people's protection and basic rights here, so, go ahead. That's why you now have the Bill."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen. Yes, this is a Democratic-sponsored Bill because we are not going to tolerate the conduct of a year ago. We have extended a courtesy, for all of the years that I have served in the General Assembly, a courtesy with the Majority Party has consented to Minority Party sponsorship of Appropriation Bills. It's been nothing more than a courtesy. Last year, that courtesy was abused, and that will not be tolerated this year. We are moving the Bills along, so, yes, this is a Democratic-sponsored Bill, and we will consider the same Amendments that were considered earlier. Thank you, Mr. Speaker."

Speaker McPike: "Question is, 'Shall Amendment #5 be adopted?' All in favor vote 'aye', opposed vote 'no.' Representative Lang. Never mind. Mr. Electrician turn him off. Have all voted? Have all voted who wish? Have all voted who wish? Mr. Black, explain his vote."

Black: "I don't know that I want to explain my vote, Mr. Speaker,

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and I'll see how the board goes, but I might request a verification should this get Bill get the requisite number."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 63 'ayes' and 51 'noes' and Amendment #5 is adopted. Further Amendments?"

Clerk McLennand: "Amendment #6, offered by Representative Hicks."

Speaker McPike: "Representative Hicks on Amendment #6."

Hicks: "Amendment #6 is the same as Amendment #5 was on the previous Bill...Makes the \$12,135,800 GRF reduction. I'd be happy to answer any questions."

Speaker McPike: "Question is, 'Shall Amendment #6 be adopted?' All in favor vote 'aye', oppose vote 'no.' Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 66 'ayes' and 48 'noes'. Amendment #6 is adopted. Further Amendments?"

Clerk McLennand: "Amendment #7, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. Amendment #7 makes a reduction of \$10,384,400 of GRF. This reduces personal service by reducing 41 supervisory positions in the general office and 196 supervisory positions of various facilities. The budget average salary for these positions, \$43,816 each. I'll be happy to answer any question. I ask for its adoption."

Speaker McPike: "Representative Tenhouse."

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

Speaker McPike: "Yes."

Tenhouse: "Some questions here in terms of the...cut...the

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layoffs or the elimination of staff positions. Can you fill us in, Representative, as to which positions you're planning on eliminating?"

Hicks: "Representative, what we did was we took facility by facility. We took the central office, looked at those positions. We went through and we...we determined where our places where that you had two or three people filling the same type of job, where you had two or three assistants to a director...we would eliminate one of those positions. We feel like that we've seen a blowed up of executive positions, of administrative positions, not only in this agency, but in many agencies and I think with other Bills you're going to see the same type of...of cuts being made in those administrative and supervisory type of positions."

Tenhouse: "Can you fill us in as far as tentative position eliminations you're talking about here, Representative?"

Hicks: "Ask that again, please, Sir."

Tenhouse: "Can you fill us in a little better, though? I mean, you're talking about, in generalities we're talking over 300 staff positions. How many are...are we talking...How many in terms of actual Corrections officers? How many as far as administrative staff up and down the line and which administrative staff are we talking about, specifically?"

Hicks: "Representative...in these cuts here we're talking about 41 supervisory positions in the general office here in Springfield. A hundred and ninety-six supervisory positions at the different facilities around. We're talking about no Correctional officers, none."

Tenhouse: "You're talking about laying off...people that are now involved in youth facilities. What...what is their function? I think that we show 34 people going to be laid off for the youth centers."

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Hicks: "All the positions in this cut are administrative type personnel...places where have duplicative-type administrators; you have assistants to administrators you might have two or three. You have a number of assistant wardens, for example, that would be a type of a cut that we felt like could be made. These are very difficult times. You know, Representative, we have overloaded our prisons as we've heard mentioned here. Representative Homer mentioned it. Representative Black has mentioned it. And why has that come about? It's come about because of things we've done in this General Assembly. In discussions with Director Peters, just a few weeks ago, I told him at that time...when I told him some of those things that might be happening in...in the few weeks here that we have with the cuts that could be possibly coming down. I think that he's exactly correct in what he says when we talk about...what's actually happened here in Illinois with...30,000 plus inmates we have. We have a responsibility here to do something with it. I think, though, that these are positions that we can well afford to lose at the same...point in time, not affecting the criminal population of the State of Illinois. I think these are good cuts, Representative."

Tenhouse: "In terms of the cuts, now you mentioned (It's hard to hear down here), but you...mentioned assistant wardens are going to be laid off. Are there any wardens, as well, that are in..."

Hicks: "...No, Representative, none."

Tenhouse: "But how many assistant wardens are involved?"

Hicks: "Representative, we looked at places where there were duplicate...where you might have two or three assistant wardens; in those places, such as that, very well, if you

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had three assistant wardens possibly two could get by. We felt like two could get by just as well as...three could. We looked at administrative positions and cut some of those administrative positions. I said, it's a very difficult time. We need money for personnel in those prisons, not for administrative positions."

Tenhouse: "Mr. Speaker, to the Amendment. Ladies and Gentlemen of the House, it's certainly...You have to admire what we're trying to accomplish here as far as Representative Hicks, and I certainly salute him from that standpoint, but I think, realistically, what's happening here is not the positive aspect that we're really looking at and anyone that thinks that this is not going to affect how well we're able to handle these facilities has to have a slight problem and especially when you look at the fact that we're talking about adding 2,400 inmates during the next 12 months to a facility that's going to hit its maximum, as of, in fact its already at it's maximum, but it's really going to quite literally fall apart at the seams and not be able to admit any more inmates as of April of '93 and to say that we can eliminate 300 administrative staff sounds good, but, in reality, you know and I know that it's going to have a real impact on the ability for these prisons to work, to function. Certainly, not a...the type of situation that has been brought up before. We've reached the crucial point. Now, we're pushing it a little farther. I would urge your 'no' vote on this Amendment. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #7 be adopted?' All in favor vote 'aye', opposed vote 'no.' Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Somebody turned on Representatives Pullen's speaker light. Please, turn it

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off. Have all voted who wish? The Clerk will take the record. On this Amendment, there are 69 'ayes' and 44 'noes'. Amendment #7 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3549. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3549, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority. Second Reading of the Bill."

Speaker McPike: "Are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by..."

Speaker McPike: "Are there any Committee Amendments?"

Clerk McLennand: "No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Tenhouse."

Speaker McPike: "Representative Tenhouse."

Tenhouse: "Floor Amendment #1, would basically, just change...make a technical change. Involves no dollars, and it allows the Criminal Justice Information Authority to utilize the grants from the Motor Vehicle Theft Prevention Fund. In fact, this language is suggested by the Comptroller's Office and is supported by the agency."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no.' The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "Amendment #2, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to 3549 makes a reduction in GRF of \$1,019,400, other reductions of \$129,800, for a total

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reduction of all funds, \$1,149,200. The Amendment reduces from the Governor's level about 2.4% from what was introduced by the Governor's level. The GRF request is 20% less than what the Governor's level was, basically related into personal service items which were reduced 30%, contractual travel was reduced by 40%. Other line items were reduced minorly. Be happy to try to answer any questions."

Speaker McPike: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. Just a couple of quick questions of the Sponsor. First of all, I guess, how's this going to impact as far as personnel is involved? Do you have any idea?"

Hicks: "Excuse me, Representative. Ask again, please."

Tenhouse: "It's the same question. How much...do you have any ideas as far as personnel? I know we've got some pretty good cuts here. Any idea as far as head count reductions?"

Hicks: "Representative, it's my understanding we identified about seven executive-type positions that we cut."

Tenhouse: "Will this have any impact on our ability to generate federal funds?"

Hicks: "It's not our intention at all to do that, as I said before...I don't believe it affects any federal funds at all."

Tenhouse: "Okay. Thank you, Mr. Speaker."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' Representative Black, I'm sorry."

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

Speaker McPike: "Yes."

Black: "Representative, this agency's budget, as...as recommended, how many of those dollars are federal dollars - pass

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through dollars?"

Hicks: "Representative, staff informs me about \$37,000,000, of the \$47,000,000, is federal dollars."

Black: "Is this the agency where we had some travel problems?"

Hicks: "Representative, we've had travel problems for a number of years. Some people, who didn't like to fly...in economy, they liked to fly first class."

Black: "And he's no longer is flying the friendly skies at all, is he?"

Hicks: "He doesn't fly for the State of Illinois any longer."

Black: "Well, I just wonder if...I just don't have any problem with your Amendment. I just wonder if you cut far enough here?"

Hicks: "Well, Representative...we felt like this was a significant cut, and we would certainly honor your request if you want to cut a few more dollars. We'd certainly be happy to look with it and if you have somewhere where you might think we might cut, we'd be happy to look at that, too."

Black: "Shoot, I'll tell you, if you give me a chance to draw up an Amendment, I think I could do away with this agency altogether and we'll just pass the federal funds to money some place else."

Hicks: "Representative, if it wasn't for the federal money, I'd Co-Sponsor with you."

Black: "Now, you and I are on the right track. I always knew you had a Republican philosophy at heart, Representative."

Hicks: "Easy, Representative!"

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no.' Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there is 118 'ayes' and no

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'nays'. Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3551. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3551, a Bill for an Act to making appropriations for the ordinary and contingent expenses of the Illinois Emergency Management Agency. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Withdraw the 1, Mr. Speaker."

Speaker McPike: "Further Amendments? Gentleman withdraws Amendment #1. Further Amendments?"

Clerk McLennand: "Amendment #2, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Amendment #2 to House Bill 3551 appropriates additional federal spending authority for the Illinois Emergency Management Agency; \$500,000 for educational training programs; \$10 million for cost related to Chicago flood; and \$500,000 to imple...implement...measure to prevent future diasters due to the Chicago flood. I ask for its adoption."

Speaker McPike: "And on the Motion, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Representative Hicks, you buzzed through that rather quickly. Did I notice that you asked for \$10 million federal funds for the Chicago flood? Is that correct?"

Hicks: "That's exactly correct."

Ryder: "Did I get the location correct?"

Hicks: "You are exactly correct, Representative."

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Ryder: "All right. Now, is this...Am I in the same Body that we were, just a few minutes, hours ago, when your side of the aisle said, 'It doesn't matter if it's federal funds. It doesn't matter if it's designated funds. We're here to cut,' and you are now adding authority to spend \$10 million of federal funds?"

Hicks: "Representative, you've just said the magic word. We added 'authority' to spend federal funds."

Ryder: "Well, Representative, it's a little difficult for me to understand the difference between that which you're asking, especially when you and your side of the aisle has just asked us to cut corrections, to cut other parts of the budget, and now you're suggesting that as far as the City of Chicago is concerned that we should authorize us to spend those same kind of dollars. I...I fail to see the difference, Representative, and as a result, I...I think we've got some concerns here."

Hicks: "Well, Representative, I believe that if...if we don't take care of these problems here in Illinois, with moneys that are available to us when we have a diaster, and that's a diaster, Representative, certainly we're not going to wait on the federal government; we're not going to wait on the current administration to come into Illinois to be able to provide funds to take care of a diaster similar to what I had in my district in Allendale, Illinois, blew away with a tornado and the emergency system people were there to help out. I think that in this situation, a diaster of this type, it certainly makes good sense to spend this kind of money to work on that kind of project."

Ryder: "Representative, is it correct that in the event that the federal government does come through and we get the \$10 million that we're then obligated to spend \$3 million of

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state dollars to match the \$10 million?"

Hicks: "Representative, I am certainly not aware that we are obligated in any way to spend that. If you have that information, I do not."

Ryder: "I think that is correct, Representative, that we're obligated...to match at the \$3 million level for the \$10 million that are a part of this, and if indeed, that's the case, then even with the best intentions that you may have, which...is simply authority, federal money, funny money, I think you're obligating us to spend good old taxpayer money for the City of Chicago and maybe...They may be worthwhile. It may work out okay, but I've got to tell you, with the cuts that we're making it doesn't sound like the best use of our money today, and as a result, I intend to oppose your Amendment. Thank you, Representative."

Hicks: "Well, thank you very much, Mr. Ryder. I appreciate the comments very much. I'm not aware of any \$3 million additional, but let me tell you I believe that probably we've already spent the \$3 million in that diaster. Days and days, as we all saw it on television from downstate, around this country, we had a problem there. It's a diaster; it's not something that we can take lightly. I think \$10 million is only going to be the tip of the iceberg of what we're really going have to spend in the end."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, Mr. Ryder may want to reconsider his position because I'm advised that this would be an appropriation of the money that Governor Edgar committed to in the midst of the efforts to clean out the buildings and dewater the buildings, as they said, during the midst of the flood. So, as Governor Edgar

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personally explained it to me, as he and Mayor Dailey were working to get the Corps of Engineers to come on scene and to begin rendering advice as to how the flood waters might be removed, it was necessary for the Governor to go on the line and sign his authorization for the commitment of this \$10 million for the project and I, at the time, I commended him for his courage in committing to this \$10 million and so I simply suggest to you, that as I am advised, this is the appropriation for that money which the Governor has already committed to and I am also further advised that this is an administration request. Thank you."

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker. Will the Representative yield? Representative Hicks...I thought my part of the afternoon...appropriations process was over, and I was here in my chair about half asleep and looked down and read the Amendment and all of a sudden, instead of cutting, we're spending, and I picked up on your comments that this is an authority to spend \$10 million of federal funds, and was it mentioned where this would be spent?"

Hicks: "Yes, Representative, was mentioned."

Olson: "I must have missed that. Could...could you enlighten me?"

Hicks: "It was to be spent for the Chicago flood diaster."

Olson: "Well, ah right. I believe...I believe I recall from...I believe I recall from newspaper accounts of the flood in Chicago, there was some give and take...with the federal government and the City of Chicago that the feds said they wouldn't pay 100%, I believe that's what it was, and we would have to match it with some money, and...I believe that same saying...there was a...someone from...representing Chicago uttered something to the fact

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that Chicago would not pay and didn't the state become involved in there some place for \$3 million or is that something the newspapers have fabricated?"

Hicks: "Representative, I'm sure the state has already has spent considerable dollars that we had allocated last year for these types of emergencies across the State of Illinois. Maybe they happened in your district; maybe they happened in my district. They have...to happen down in the Loop area of Chicago. Now, I'm sure we've already spent state dollars on their behalf, Representative. I would hope that we would want to spend the \$10 million coming from the feds along with that idea."

Olson: "Thank you, Representative. To the Amendment, Mr. Speaker. Representative Hicks alluded that a emergency could happen anyplace and that is very, very true, and we just worked on some Corrections Amendments, be on Third Reading, two of those correction facilities, Lincoln and Logan, are about three miles from my house, and I know there's already stress out there, already stress in the guard system. I hope and pray that Chicago does not have another emergency similar to the one that happened with the flood, but I also hope and pray that we don't have a tragic emergency, a blood-letting emergency in some of the prisons. And I think if...I'm just not happy with the way things have went here on the Corrections this afternoon where there's potential emergency and now we are asked to spend money for emergency of the past that may be some promises were made, commitments made at the time of that flood that are...after an afternoon of cuts here we are obligating ourselves to \$3 million. Thank you very much."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', opposed vote 'no.' Have all

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voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 70 'ayes' and 38 'noes'. Amendment #2 is adopted. Further Amendments? Representative Santiago and Representative Capparelli would have voted...and Representative Bugielski would have voted 'aye'. Pardon? The Chair has declared this Amendment as adopted. Floor Amendment #2 is adopted."

Clerk McLennand: "Floor Amendment #3, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The...Amendment #3 eliminates 18 positions with the Illinois Emergency Management Agency. Fifteen of those position are...are executive-positions; three are not. Total reduction of \$1,132,700. Be happy to answer any questions. I ask for its adoption."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker. Would the Gentleman yield for a question? Representative, so I can better understand your Amendment, it's my understanding that along with the 18 positions that your Amendment would eliminate within the six field operations personnel. Can you tell me, are those people actually out in the field or are those people being eliminated here in the central office for EMA?"

Hicks: "The six that are being eliminated are executive-type positions. They are field positions, but they are considered to be executive-type positions."

Weller: "But where are they physically located? Are these people out in the regional offices at the EMA maintains throughout the state."

Hicks: "We understand that's correct. We don't know really where each and every one of them are, Representative, but that

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would be my understanding of where they would come from."

Weller: "I was wondering, Representative, you know, this past year the...when it was known as ESDA, this particular agency consolidated from seven to five the number of regional offices throughout the state. I believe one is in your area, one was in mine, that were consolidated. Will this...eliminating these staff positions, has the agency indicated to you whether or not they would still be able to maintain those regional offices that assist the local ESDA agencies at the county and the local level?"

Hicks: "Certainly, Representative, that may happen in this case. We may have to consolidate even farther. The agency already found...that they felt like consolidation was something they could live with by consolidating, taking the one out of your area, my area, whichever the reductions were done in. This may result because of the reduction of the executive positions. It may result in further consolidation of these."

Weller: "So, you're indicating this Amendment, then, could jeopardize those regional offices that work with the local ESDA and Representative, Emergency Management agencies. Another question, it's my understanding the maintenance and calibration funds...that are reduced in this Amendment, the \$22,000, are they federal funds?"

Hicks: "State funds, Representative."

Weller: "My understanding...and perhaps you need to correct me, was that actually these are federal funds and that they're used for...some matching purposes."

Hicks: "Representative, my staff informs me that they are state funds. If you have other information, it's not what we have, we'd be happy to get with you and find out if that is the case, but it's our...it's state funds. If it's

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not...I...if we're wrong, Representative, it's not our intention to cut federal funds...and maybe you have some other information and we would be happy if you'd share that with us."

Weller: "Well, Representative, I'm...I'm joined here on the floor by the fiscal officer for Emergency Management Agency indicates that the maintenance and calibration funds are, actually, federal funds."

Hicks: "Well, Representative, I...I guess at that point in time, then, we would hope that the Senate put those funds back in and I, myself, will ask the Senate to do that."

Weller: "All righty. Representative, also, I see that your Amendment would reduce training and education programs as regard of the earthquake preparedness programs. I know in Southern Illinois, earthquakes are a major concern and it's my understanding that this Amendment would reduce...funding for training and education programs that help local communities...deal with preparation for an earthquake. Is that true?"

Hicks: "Representative, we reduced that line item 15% just like other line items throughout the state budgets...Many, many different budgets, many different training, many different facilities, we've reduced with a...a 15% across-the-board type situation and those kind of...Commodities and Corrections, for example, was one. With the Department of Ag we've done the same thing. It's a 15% reduction in that area. We feel like it's something right know with a tight physical restraints that we have, it's something we ought to be able to live with."

Weller: "Does the new Madrid Fault run through your district, Representative?"

Hicks: "Yes, Representative, it is."

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Weller: "The...Another question I have, I see also your Amendment reduces the Emergency Planning and Training Fund. What...what impact would that have on that particular fund and the program it provides? Are those GRF funds, Representative?"

Hicks: "They're other state funds that we have, not GRFs."

Weller: "And what, since they're non-GRF, where would those funds go then if we're not going to put that 20% reduction and keep it in EMA?"

Hicks: "Just like other budgets we've had where you have specialized funds something, Representative, by the way, that I've been opposed to having specialized funds, for the last several years; I've tried to eliminate those funds; those ...hat money then would stay in those funds just like it would in any other fund like we have, but we think elimination of those type of funds are...is good government."

Weller: "The...another question here, one...oneparticular concern I've got, as I...as I read the analysis of this Amendment, is that this Amendment also reduce... that...puts in place a...a \$12,000 reduction for EDP, money that was to be used by the agency to purchase needed equipment to provide for the communications center with the technological capabilities...to assist a dispatcher who is visually impaired or blind who needs this equipment so that he continue to serve as a dispatcher where he is currently employed with the agency. Do you recognize, Representative, this Amendment would prevent him from being able to continue in this role because this equipment would be taken away by this Amendment?"

Hicks: "Representative, we made a...a percentage reduction in EDP. Certainly, it's not our intention to do away with

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equipment that's needed by specialized...people in government, but we've made the same type of reduction in EDP and many different areas. There is still money left in the EDP budget. I would suggest to the agency that they spend the other money they have in the budget to take care of those physically impaired people that may need extra help and be able to work on that computer."

Speaker McPike: "Representative Tenhouse."

Tenhouse: "Well, Representative, it's my understanding they've also reduced their budget by \$500,000 in other areas because you wanted to prevent a move that they'd desired to relocate the office. The decision was made to reduce that by \$500,000. That take...that took away a lot of their flexibility and funding which would have allowed them to obtain this necessary equipment for this visually impaired dispatcher, this blind dispatcher. To the Amendment..."

Hicks: "Representative, let me address that, if I may, because I didn't address that in my other...talk about this particular Amendment and I did not address the \$500,000 in the move, as you've just said something about it...I guess I would say to you, Representative, that we're talking about an agency moving from one state building to another state building. In testimony before the House, they suggested that it was going to cost \$500,000 or somewhere plus or minus \$500,000 for them to move. I believe they're currently located at the armory and their going to move to another state facility...I would suggest to you, Sir, that at the present time, \$500,000 to move an agency would not be a very wise investment for us at this time. I would also further suggest to you that in the testimony they said, they really didn't know how much it was going to cost that was their actually testimony in committee that they

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didn't know if it was going to cost \$500,000 or a million dollars or \$100,000 for us to just to artificially say \$500,000 is a nice round number to put in there, I think that doesn't make sense."

Tenhouse: "Thank you, Representative, for that thoughtful explanation. In response...in regard to this particular Amendment, I think that the Members of the House should recognize what they're voting on here, what the impact of this particular Amendment will have on their legislative districts and also to some of the priorities that are important to them. Of course, it does make some reductions in General Revenue Fund for their operations, but it also reduces training and education for earthquake preparedness. If you're from Southern Illinois and the New Madrid Fault goes through your district, you might think how this Amendment is going to affect your local community, particularly since they feel there is the possibility of an earthquake in the new Madrid Fault area sometime between now and the year 2000. It also reduces the funding available and eliminates some field staff. Those regional offices that are so important to your local ESDA coordinators are going to be placed in jeopardy by voting for this Amendment. And, also, if you care about the disabled, if you care about the handicapped, recognize that by voting for this Amendment, you're voting to deny a blind man a visionally impaired employee of this agency, with the ability to have the technology so that he can continue to do his job as a dispatcher. The right vote, Ladies and Gentlemen, is a 'no' vote, and I ask for a 'no' vote."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye' opposed vote 'no.' Have all voted? Have all voted who wish? The Clerk will take the record."

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On this Amendment, there are 83 'ayes' and 22 'noes'.
Amendment #3 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Let the record indicate that
Representative Mautino would have voted 'aye'. House Bill
3524. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3524, a Bill for an Act making
appropriations to various state agencies. Second Reading
of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative
LeFlore."

Speaker McPike: "Representative LeFlore. Representative LeFlore,
Amendment #1."

LeFlore: "Thank you, Mr. Speaker. Ladies and Gentlemen of the
House. Amendment #1 reduces all the new GRF initiatives,
including those earmarked for B and H versus Johnson
reformed by 75%. The reduction are as following:
\$2,000,587 lump sum for Target Case Management; \$180,000
GRF grants for Children, Personnel and Physical
Maintenance; \$32...\$32,000,257 grants for foster care and
espec...specialized foster care, \$6,000,290 grant for the
purpose of the adoption services; \$475,000 for GRF for the
Medical Care Clinical Option Program, which brings a total
of reduction of \$41,000,790. I would like to have a
favorable vote on this Amendment."

Speaker McPike: "On the Amendment, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Would the Gentleman yield for a
few questions?"

Speaker McPike: "Yes."

Ryder: "Thank you, Mr. Speaker. Representative, the reductions
that you indicated included some moneys for the lawsuit

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that was settled, the...what we call the 'B. H. case'."

LeFlore: "Yes, yes."

Ryder: "All right. And I understand that you reduce them by about 75%..."

LeFlore: "Right."

Ryder: "Is that correct?"

LeFlore: "Right."

Ryder: "Do you know if or how that would jeopardize that settlement? Would, for example, we'd be called back into court and could a judge then attempt to, by federal decree, take over the operation of DCFS?"

LeFlore: "Representative, right now, we are not going to court and...we feel that...now is not...the right time that we proceed in court, and I don't think we can really talk about this because I understand it is...it is in court. Now, the director...we raised the question, to the director in committee last week, and she...didn't elaborate on it that much."

Ryder: "Thank you. You and I disagree on that, Representative, so let me...let me tell you what my understanding, just to set the record straight. My understanding is that the B. H. case was settled, that it has...a stipulation has been entered into, all right, and some of the funds that you're asking to reduce in this Amendment might jeopardize that settlement. That's my understanding, but I understand you disagree with that, correct?"

LeFlore: "Well, the agency has an opportunity to come back to the committee and request if they need additional money. We understand the case very well and I don't think anything is going to happen until the Veto Session, no way or either the first of the year of 1993."

Ryder: "All right. Representative, the only...Let me just state

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once again. I have in my hand a consent decree signed by the director of the department and by a district judge, dated December 20th, 1991. I believe that your Amendment does put that in jeopardy, but, having said that, then let me go to something else, if I may. I would like to ask, although some of the cuts that you talk about in Amendment 1 makes sense to me; the one that doesn't make sense to me is the...the grants for foster care and specialized foster care because we find that foster care is one of the more economical ways of taking care of children. It is less expensive than residential care. It is less expensive than institutional care, and I am concerned - and would ask for your comment, please - I am concerned that by taking away the foster care grants that we might obligate ourselves to spend more money, when our intention is to save money, Representative."

Speaker McPike: "Representative Currie. Ms. Currie."

Currie: "I think he's still asking a question."

LeFlore: "Yes, Representative."

Ryder: "Yes. Thank you for ans...for attending my question. I appreciate that."

LeFlore: "Okay, it is my understanding that the money will be made available when it's needed to cover the foster care expense of the agency. We understand how crucial this is. We understand that we need the dollars in order to make sure that those kids are taken care of in the foster homes, but, again, you have a lawsuit that is pending."

Ryder: "Well, to the Amendment, Mr. Speaker. Thank you very much. Allow me to say that I believe that we just simply have a disagreement here. I believe that the consent decree is something that we're obligated to fulfil, and I believe, as well-intentioned as the Gentleman's Amendment

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is, that it does not address meaningfully that which we're obligated to do. I wish to cut money just as much as the person who is proposing the Amendment does. My fear - and for that reason my concern - is that by adopting this Amendment we are in violation of the decree and we are obligating ourselves, therefore, to be paying much larger sums. So that this is a false economy and, for that reason, I don't believe that it's a wise choice at this time. Thank you, Mr. Speaker. Now I am concluded."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I don't think it's in anyway of the intent of the proposers of this Amendment or the supporters thereof to undercut or to jeopardize the federal court decree in the B. H. case. We fully support compliance from the Department of Children and Family Services and from this Legislature with that decree, but our question is, 'When and how quickly is the department going to move to respond to that court consent program?' It's our understanding that the federal monitor has not yet approved, and will not approve until sometime in July, the very first steps along the way to full compliance. We would be happy to fund contracts that the department enters into in order to comply even before the monitor approves a long-term plan when you tell us that you're prepared to sign those contracts. Under the Emergency Budget Act reduction in February \$13 million that we'd allocated for a compliance with several court cases was returned to general funds because the department hadn't spent it. Our staff was not able to get, from the department good information about the timing of compliance. For that reason this Amendment would fund only the first three months of the compliance program as requested by the

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Governor and by the department, but will be available when those three months are up to fund more completely the compliance program if the department is ready to go at that point. So in no way would passage of this Amendment jeopardize the consent decree; in no way would it suggest that we're not willing to do our part to see to it that we do what the children of this state need, but we would like better and clearer and more immediate information from the department before we commit to a full \$55 million that, based on past performance, we're not certain that the department will be prepared or able to spend."

Speaker McPike: "Representative Leitch."

Leitch: "Mr. Speaker and Ladies and Gentlemen of the House. According to my information, the consent decree was signed December 20th, 1991, and has a whole litany of...requirements in it for case load reduction and foster care and all the rest of it. How can you say that the money is going to be available and then, at the same time, propose an Amendment that wipes out 75% of the money. I think Mr. Ryder, exactly right: This puts us in jeopardy and is a very ill advised Amendment. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All those in favor vote 'aye' opposed vote 'no.' Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 79 'ayes' and 30 'noes'. Amendment #1 is adopted. Further Amendments?"

Clerk McLennand: "Amendment..."

Speaker McPike: "Representative Stepan would have voted 'aye' on the previous Amendment. Further Amendments?"

Clerk McLennand: "Amendment #2, offered by Representative LeFlore."

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Speaker McPike: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. Amendment #2 reduces Children and Family Services year '93 budget by \$22,000,756. The reduction was obtained by eliminating all moneys fulfilling vacancies either in year '93 and '92 by eliminating all extra paying and pay increase, including merit compensation and recalculation of all personnel services line according to CMS guidelines. The request of the House Democratic leadership all operating lines was reduced between 6 and 10%, including the elimination of all out-of-state travel, new telecommunication purchases and overbudgeted items in the various operational lines. The saving or reduction is \$22,756,000. I ask for a favorable vote."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye' opposed vote 'no.' Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 81 'ayes' and 28 'noes'. Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative LeFlore."

Speaker McPike: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. Amendment #3 deals with the reduction of personnel services line to reflect the elimination of funding for 50% of the department, middle and upper-middle management. The total personnel savings line reduction is \$7,262,000 and this is GRF and children service funding. The following is a list of positions (and I'm not going through this list); or if you have an Amendment, it would tell you. I ask for a favorable vote on this Amendment."

Speaker McPike: "The Gentleman has moved for the adoption of

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Amendment #3. Is that correct? And on that, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Will the Gentleman yield? How many of these positions are AFSCME positions?"

LeFlore: "Repeat that, Representative."

Leitch: "How many of these positions you are proposing to eliminate are covered by union contract?"

LeFlore: "One hundred and thirty-three...positions."

Leitch: "One hundred and thirty-three union positions are proposed to be eliminated by this Amendment? How did you decide which positions to eliminate?"

LeFlore: "Okay, your question was, 'how many of these positions is AFSCME's members? I really don't know...I don't have a breakdown on the number of positions that is AFSCME. Mainly, what we're looking at is the administrative positions that pay \$35,000 or more."

Leitch: "How did you decide which positions to eliminate?"

LeFlore: "We decided by job title. We have it broken down here: The director's office, Children's Protection, Youth Community Services, Management Services, Resource Development, Quality Assurance, Plan and Training, Auditor and Supportive Services, Division of Program Operation, Rockport Region, Peoria Region, Aurora Region and Chicago Region, Springfield, Champaign and East St. Louis, Marion and DCF License."

Leitch: "Thank you. Well, to the Amendment, a minute ago, we just ignored the fact that there is a December 20th, 1991, consent decree that requires the department to do certain things, and we wiped out 75% of the money to do it. Now we're going forward to compound that error and those of you who care about children and care about what's happening to foster care and care about seeing that department is more

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aptly administered and has a much stronger handle over what's going on with its case workers and providing that type of supervisory children to the children who need it most in our society, I would say to you, 'Look very carefully at this Amendment.' I cannot imagine that those of you on your side of the aisle want to be on that Amendment, and I would urge a 'no' vote."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 75 'ayes' and 39 'noes' and Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative LeFlore."

Speaker McPike: "Representative LeFlore."

LeFlore: "Mr. Speaker, I would like to withdraw Amendment #4."

Speaker McPike: "The Gentleman withdraws Amendment #4. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Curran."

Speaker McPike: "Representative Curran."

Curran: "Thank you Mr. Speaker. This Amendment transfers \$12,000,000.00 of GRF from the areas of Institution and Group Home Care Prevention. It does not change the bottom line. What it intends to do is to provide further funding for case-workers in order...in order to lower the case load ratio at DCFS. It'snot changing the bottom line."

Speaker McPike: "The question is, 'is there any discussion on the Gentleman's Motion? The question is, 'Shall Amendment #5 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all

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voted who wish? The Clerk will take the record. On this Amendment, there are 88 'ayes' and 26 'noes', and Amendment #5 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative McAuliffe."

Speaker McPike: "Representative McAuliffe."

McAuliffe: "Withdraw #6."

Speaker McPike: "The Amendment's withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative McAuliffe."

Speaker McPike: "Representative McAuliffe."

McAuliffe: "Withdraw Amendment #7 also."

Speaker McPike: "Withdraws Amendment #7. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative LeFlore."

Speaker McPike: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. Amendment #8 to House Bill 3524, as amended, in the line item appropriation for contractual service, management service, General Revenue Funds by replacing \$3,000,0612...\$3,000,237 of that \$375,000 will go to the Community Service Youth...line item. I would like a favorable vote because this money will be used for the communities of the State of Illinois...for programs...to...give assistance to our youth services agency in the community. I would like to have a favorable vote."

Speaker McPike: "Mr. Black, on the Amendment."

Black: "Thank you very much, Mr. Speaker. We don't have this Amendment. Has it been printed and distributed?"

LeFlore: "It was distributed about two hours ago, Representative."

Speaker McPike: "Yes. Any questions? The question is, 'Shall

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Amendment #8 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 114 'ayes' and 2 'noes', and Amendment #8 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3533. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3533, a Bill for an Act making appropriation for the ordinary and contingency expenses of the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative LeFlore."

Speaker McPike: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. House Amendment #1 to House Bill 3533 eliminates all new GRF expansion over the year '92 level and the total saving iss about 2.8% of the department '93 GRF, a request of \$8,079,100. This will add up a savings of \$25.1 million, and to give you an outline, there will be \$2 GRF for Medical Services; 1.6 GRF for restructuring state facilities; 9.3 million GRF for community integrated living arrangements and other support; 3.3 million GRF of rate increase for drugs; 2.6 million GRF for Illinois State Psychiatric Institute; \$3.3 million GRF for workers' compensation; \$1.7 million for private hospital service; 8 million for home-based programs; 2 million's for GRF and for family assistance program; 3 million GRF for repairs and maintenance and refunds. The total is \$25.1 million, savings, GRF savings."

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Speaker McPike: "And on the Amendment, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Directly to the Amendment: This, without any doubt, cuts direct care to those people who are entrusted to us for their well-being. This cuts our ability to take care of those less fortunate than you and I. This cuts our ability to care for those at the Department of Mental Health and Developmental Disabilities. Now, of course, we're going to make cuts and, of course, we've got to do that in this budget and others, but I can't, in good conscience, stand here and suggest that the cuts proposed by this Amendment are appropriate. I have to tell you, truthfully, there's two or three items in here that I'd like to join with the Sponsor in seeing that their cuts would take place, but the majority of the cuts do not, do not, help us attain the goal that we want. This is a very, very large budget. The kinds of problems that we have in the state will not be solved by avoiding our responsibilities with this budget. The Department of Mental Health and Developmental Disabilities is always fighting to maintain certification, certification that is required for us to receive the huge amount of federal dollars that we need, certification that is required for us to maintain our facilities. The cuts that are part of this Amendment will cause us to lose that certification and as a result, I believe, we will end up spending more money, we will end up spending...being forced by a judge to spend more money, money that we obviously don't have. Parts of the Amendment are okay, but the huge portion of the Amendment is simply not something with which we can agree, and I would ask the Members to be very, very careful in the way in which they vote on this Amendment."

Speaker McPike: "Representative Schakowsky."

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Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Illinois already ranks among the bottom of states that provide care to persons with mental illness. It's really a disgrace, the lack of quality services that we're able to provide and the lack of funding that we provide for them. This Amendment goes even further than the terrible cuts that were proposed by the Governor. For example, they are closing the jail psychiatric units. This is for the senior citizens who are housed at Chicago Read and Zeller. Those units are being closed and those people are being put into nursing homes without the 24-hour care that they have received for their severe mental illnesses in the facilities that we currently have. These people are essentially, without their consent, being dumped into nursing homes without the adequate care, without the adequate supervision, without the input of their families, without any consent on their part, and we are just pushing them into nursing homes where we can be sure that they're not going to be getting the care that they need. How can we, yet then, go further in...in making cuts when what we should be doing is restoring at least these services to our mentally ill senior citizens. I urge a 'no' vote."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, nobody likes to cut Mental Health. Surely, I don't. But let me tell you what happened a few years ago in my district. When we were debating a similar appropriations, right at the end of Session, and what happened at the end of that fiscal year, I met with some employees, and, you know, working in mental health, it's a tough, tough, profession, and there's burnout in that profession. Some employees just last so long because of the tough type of work that they have and very often

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they're forced to work and put in overtime hours and some of the employees met with me and they said, 'That what was happening at their facility was that they were coming to the end of a fiscal year and that they had to make up all of the revenues that that agency was getting.' Now, I think a lot of taxpayers feel that that's what happens in federal government. We've all heard of that fact, that the federal government, the military services at the end of a fiscal year, they buy all kinds of things that are surplus and they never use them. And they do it so that they don't get a cut the next fiscal year. We ought to remember why we are here today, because for so many years, year after year, we would add x number of dollars to every budget. We would say, 'Oh, they had so much last year. That means they've got to have so much more the following year.' They would have so many employees added on, so the next year we'd say, 'Oh, they need some more.' So, that's why we're at...where we are today. But, believe me, even in the Department of Mental Health, because I've seen it in my area, that they used more dollars than they have to and I had complaints from my employees that said we're putting in too many hours, we can't stand it and...and they told me the reason why. So it is difficult to cut this budget, but this - I'm just trying to make the point that in all areas of state government there's a lot of waste and we ought to start cutting it."

Speaker McPike: "Representative Daniels."

Daniels: "Inquiry of the Chair?"

Speaker McPike: "Yes."

Daniels: "My staff has pointed out that they think this Amendment is in error, and I'd like to have an opinion of the Chair. On line 23, page 1, it refers to Section 5 when, in fact,

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it should be referring to Section 6 and then following on the second page, the items that are referred to there ought to be in different sections than what's cited in the Amendment."

Speaker McPike: "Mr. Daniels."

Daniels: "Sir?"

Speaker McPike: "Would you repeat that, please?"

Daniels: "Yes, on page 1 of the Amendment, this is on Amendment #1, line 23, refers to Section 5 in the Amendment. That should be Section 6 in the Bill. You refer then back to the Bill, Mr. Pollak, and then on page 2, those figures ought to be referring to Section 6. So I think the Amendment...My staff has pointed out they think this Amendment is in error, which means we think you ought to forget this whole idea and just withdraw the Amendment and give up."

Speaker McPike: "Mr. Rossi? Mr. Daniels, your point is well-taken."

Daniels: "So what would you like to do?"

Speaker McPike: "Sir, it would be our intent to go to this Bill tomorrow. Take the Bill out of the record. This Bill, 3443. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3443, a Bill for an Act making appropriations to the Attorney General. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1."

Speaker McPike: "Who's the Sponsor of the Amendment, Mr. Clerk?"

Clerk O'Brien: "Offered by Representative Olson."

Speaker McPike: "Representative Olson."

Olson: "Thank you Mr. Speaker. I wish to withdraw Floor Amendment #1."

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Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments? Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3604. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3604, a Bill for an Act to provide for the ordinary and contingent expense of the Office of Secretary of State. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3556. Mr. Hicks, 3556. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3556, a Bill for an Act making appropriations to the Liquor Control Commission. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 makes a \$77,000 reduction in the Liquor Control Commission. Of that \$48,000 is EDP. That's the elimination of one vacancy, I believe, that's currently funded from that agency. Be happy to answer any questions and ask for its adoption. This is non-GRF. Mr. Speaker, I was in error when I said, it was a vacancy. It is not a vacancy; it is an elimination of one position."

Speaker McPike: "Representative Ryder."

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

Speaker McPike: "Yes."

Ryder: "Representative, I realize the funds are not GRF. What

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are the source of the funds?"

Hicks: "They're dram shop funds, Sir."

Ryder: "And the currently fund position, what is the salary of that fund position?"

Hicks: "Twenty-two thousand dollars, Sir, I believe, is correct. It's a..."

Ryder: "And the remainder of the cuts are other operations or are personal services?"

Hicks: "EDP, some \$48,000 with...the...subsequent also dollars that go with the cut in the salary retirement, Social Security, those types of things."

Ryder: "Thank you."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment there are 114 'ayes', 0 'nays'. Amendment #1 is adopted. Further Amendments? Representative Stepan intended to vote 'aye'."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3557. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3557, a Bill for an Act making appropriations for the ordinary and contingency expense of Local Governmental Law Enforcement Officers Training Board. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hicks."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 reduces \$74,000...from the Traffic and

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Criminal Conviction Surcharge Fund, includes a 9% reduction in contractual services and elimination of the merit compensation increases. I ask for its adoption."

Speaker McPike: "Representative Tenhouse."

Tenhouse: "Mr. Speaker, would the Sponsor yield?"

Speaker McPike: "Yes."

Tenhouse: "Thank you. I want to ask a couple of quick questions here. As far as the contractual service reduction, what do you...do you anticipate specific program reductions or any specific ideas that are involved?"

Hicks: "I don't have any specifics on the actual contractual reduction. I think it's just a simple reduction of that contractual line item."

Tenhouse: "What do you...I guess one of the things we're looking here...They call this Traffic and Criminal Conviction Surcharge Fund, so I take it to mean that this cut has no GRF dollars. This is strictly non-GRF?"

Hicks: "Correct. Correct."

Tenhouse: "One of the questions that was asked here: Is any money...Does this affect, at all, money for audits so that the circuit clerks can do a better job of collecting funds?"

Hicks: "Representative, as I understand from staff, they had requested \$41,000 on those audits. We took it down to \$40,000 so it would be \$1,000 deduction...reduction."

Tenhouse: "Thank you for your time."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 118 'ayes', 0 'nays'. Amendment #1 is adopted. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3559. Out of the record. House Bill 3600. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3600, a Bill for an Act making appropriations of judicial inquiry boards. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1. offered by Representative Hicks."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 reduces by a \$134,100 from requested amounts from Judicial Inquiry Board. I'll be happy to answer any questions."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Representative, would you yield for a few questions. please?"

Speaker McPike: "Yes."

Hicks: "I'll be happy to."

Ryder: "Thank you. What was the amount of the reduction?"

Hicks: "One hundred thirty-four thousand, one hundred dollars."

Ryder: "On what base...What was the introduced level?"

Hicks: "From the FY '93 request of \$377, 600 GRF...Reduction represents a funding level, then, of \$243,400...or 28% below what the Governor...recommended."

Ryder: "All right. Are there other funds that are available for the operation of the Judicial Inquiry Board?"

Hicks: "It is my understanding it's GRF only."

Ryder: "And you're cutting it 28%?"

Hicks: "Correct."

Ryder: "All right...How is that translated? What are we talking in people?"

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Hicks: "We're looking at two positions in personal services and along with the COLA and the other adjustments in that line, also reducing contractual services by 50% for \$32,600; reducing telecommunications, for example back to the FY '92 level, reducing travel by \$1,500."

Ryder: "Thank you, Representative. Am I correct in my belief that the total head count out of that agency, complete head count is six right now?"

Hicks: "I believe that's correct, Representative."

Ryder: "You're eliminating two of the six?"

Hicks: "Yes, Sir, I am."

Ryder: "Have you had any opportunity to discuss this with the board to determine if it's even reasonable to have the board operate with only...four?"

Hicks: "Representative, there's still the two positions who are investigat or positions. That leaves one investigator still in the office. It's my understanding that in the last 20 years, the board itself has removed three judges in 20 years. I think one investigator ought to be able to handle that."

Ryder: "But, Representative, that's only the success. You haven't told me about all the investigations that prove the judges were honorable, truthful, self-reliant people."

Hicks: "Well, Representative, you said that a lot better than I did. I thought you were going to say that was only the successes, what about the failures? I guess you didn't quite say it that way, but it's my understanding that...this ought to leave one investigator in that position, and we think, we would hope that the judges, they would all be for that."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'."

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Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there will be 117 'ayes' and 1 'no', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3083. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3083, a Bill for an Act making appropriations for the State Board of Education. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Giorgi."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, Amendment #3 to House Bill 3083 reduces the State Board of Education's fiscal year budget request by \$487 million to bring the budget request down to the State Board's allocation of the Governor's level of funding. There are three or four points that I should mention."

Speaker McPike: "Representative Weaver."

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

Speaker McPike: "Yes."

Weaver: "Okay, just...just to insure that we...that we are in agreement, what this Amendment does, this Amendment takes it back to the Governor's...actually below the suggested Governor's level, by cutting \$487,678. Is that correct?"

Giorgi: "Say that again, Weaver. Take the marbles out of your mouth."

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Weaver: "It reduces to the Governor's...actually below the Governor's level, slight..."

Giorgi: "Just about even, just about even. Fire your staff; hire somebody else."

Speaker McPike: "Proceed, Mr. Weaver."

Giorgi: "Not below the Governor's level. Not below the Governor's level. In the record"

Weaver: "Okay. Is it our understanding, then you have in this Amendment eliminated the Purchase Care Review Board, but kept the money?"

Giorgi: "Mr. Weaver, again it was never in the Bill in the first place. Never in the Bill in the first place."

Weaver: "But you took the funding that the Governor had put in the budget for it?"

Giorgi: "It is not as we saw it."

Weaver: "Are we still at a 30, approximately a \$30 million level above their ending fiscal year budget from last year?"

Giorgi: "Yes, Sir, Mr. Weaver. You are correct on that point."

Weaver: "Does this Amendment eliminate the Gifted Remedial Summer School Program?"

Giorgi: "Yes, it does, Mr. Weaver. You're correct again."

Weaver: "Well, it's nice that we're getting in agreement here. Does it also keep the Adult Ed Program in the State Board of Education?"

Giorgi: "Yes, Sir, at last year's level."

Weaver: "That's all I wanted to know. Thank you very much."

Giorgi: "You're terrific tonight, Weaver."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted? All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative McGann."

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Speaker McPike: "Representative McGann."

McGann: "Thank you, thank you, Mr. Speaker and Members of the Assembly. This Amendment was drafted at the request of the State Board of Education. It only involves federal funds and I'd ask for adoption. The total federal funds is \$1,900,071. and I'd ask for adoption of Amendment #4."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' Representative Weaver."

Weaver: "Thank you, Mr. Speaker. I don't think we have any problem with this Amendment."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative McGann."

Speaker McPike: "Representative McGann."

McGann: "Yes, thank you, Mr. Speaker. This was...an error. We want adoption on this Amendment #5 because we adopted it in committee, but in the reductions from the State Board entry to the Governor's level it was erroneously left out of that part of the Amendment, so, I'd move for adoption of Amendment #5. It takes care of the problem they had in Plainfield relative to the tornado, and it's coming from the School Construction Fund which provides those dollars to the bureau budget and their request for bonding."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Weaver."

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Speaker McPike: "Mr. Weaver."

Weaver: "Thank you very much, Mr. Speaker. Amendment #6 restores \$500,000 GRF to fund the Early Intervention Program as provided in Public Act 87-680."

Speaker McPike: "And on the Amendment, Representative McGann."

McGann: "Excuse me, would the Sponsor of the Amendment yield?"

Speaker McPike: "Yes."

McGann: "Is this additional money from...over and above the dollars that were recognized in Amendment #3?"

Weaver: "No, Representative this is a transfer, an internal transfer, within the budget, from the Bilingual Education Program which apparently, by our measurement, is not spending the money."

McGann: "The...the State Board did not include that in their allocation. The State Board did not include that amount in their allocation. They didn't put in for any transfers."

Weaver: "That's...that's correct. The State Board did not ask for the Early Intervention Program, but we're of a mind to put it in there. We think that it's a good idea and..."

McGann: "But, Representative Weaver, you never discussed this Amendment with me and you're the Minority spokesperson in the committee and no time was this ever mentioned."

Weaver: "My...my apologies, Sir, but this...They came on us all rather quickly."

Speaker McPike: "Representative Santiago."

Santiago: "Would the Gentleman yield...yield for a question?"

Weaver: "Certainly."

Santiago: "Did I hear right, that you're trying to take and cut Bilingual Education Program money?"

Weaver: "Yes, Sir."

Santiago: "Okay, I...What is the rate of reimbursement?"

Weaver: "Rate of reimbursement?"

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Santiago: "Right. For bilingual education."

Weaver: "For bilingual? Currently, it's about 58%."

Santiago: "Fifty eight percent?"

Weaver: "Correct."

Santiago: "Less than 58? Or 50% or less than 50?"

Weaver: "No, more than 50%. Fifty eight percent."

Santiago: "And...What do you do with the money if you're not using the money?"

Weaver: "I'm sorry Sir I couldn't hear you."

Santiago: "Why...why don't you reimburse more? If you're not using it, why...why aren't you reimbursing it?"

Weaver: "Well, if the claims are not filed, then the reimbursements are not made. Apparently there have been not...insufficient claims filed for larger amounts of reimbursement."

Santiago: "Well, Mr. Speaker, Members of the General Assembly. I rise in opposition to this Amendment. This is just another attempt to try to cut bilingual education by the...that other side. This is just a...a yearly event by the...the administration. These are programs that are functioning. These are programs that have proven to be effective programs. These are programs that have been mandated by the federal government because of individuals from that side of the aisle that do not believe in the philosophy of education. We had to go to the Supreme Court to get them to mandate the State of Illinois and other...other agencies to require them to pay the money and make sure that we get an equal education as required by the Constitution of the State of Illinois and the Constitution of the United States. So, I ask everyone here that is concerned with education, that wants to keep bilingual education rolling, to vote 'no' against...on this Amendment. Thank you."

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Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed, 'no'. The 'noes' have it. The 'noes' have it, and the Amendment is defeated. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. It is the intent of the Chair to have the Clerk read all the Appropriations Bills tonight on Second Reading and hold them on Second Reading, so that when we return to the Order of Appropriations tomorrow morning at 9:30, we can amend the...the Bills that we did not get to today and call them on Third Reading tomorrow and then finish the budget. The Bills that we did do today we can finish those on Third Reading tomorrow and get the budget out of here, so we will return to the Order of Appropriations at 9:30 a.m. sharp. Agreed Resolutions. Representative Brunsvold, for an announcement."

Brunsvold: "Thank you, Mr. Speaker. I would like leave of the Body to have a short meeting during Session tomorrow at 10:00 a.m. of the Subcommittee on Wetlands and would like to...."

Speaker McPike: "Does the Gentleman have leave to extend the appropriate rules so that that committee can meet tomorrow at 10:00 a.m.? Hearing no objections, the Attendance Roll Call will be used. Leave is granted. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1998, offered by Representative Matijevich; House Resolution 2000, offered by Representative Kirkland; House Resolution 2001, offered by Representative Obrzut; House Resolution 2002, offered by Representative Burzynski; House Resolution 2003, offered by Representative Novak."

Speaker McPike: "Excuse me, Mr. Clerk. The House is in Session tomorrow at 9:00 a.m., 9:00 a.m.. We will start on Approps

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at 9:30. Continue, Mr. Clerk."

Clerk O'Brien: "House Resolution 2004, offered by Representative White; House Resolution 2005, offered by Representative Burke; House Resolution 2007, offered by Representative Hasara; House Resolution 2008, offered by Representative Hasara."

Speaker McPike: "Representative Matijevecich."

Matijevecich: "Speaker, I move the adoption of the Agreed Resolutions."

Speaker McPike: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 2006, offered by Representative Johnson, with respect to the memory of Professor Herbert E. Vahn."

Speaker McPike: "Representative Matijevecich moves the adoption of Death Resolutions. All in favor say 'aye', opposed, 'no'. The 'ayes' have it. Death Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1999, offered by Representative McGuire."

Speaker McPike: "Committee on Assignment. All right. Allowing the Clerk Perfunctory Time for introductions and First Readings, for First Readings of Senate Bills, for messages from the Senate and for reading Approp Bills. The House Appropriations Bills on Second Reading, Representative Matijevecich now moves that the House stand adjourned until tomorrow morning at the hour of 9:00 a.m. allowing the Clerk the Perfunctory Time. All those in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

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Clerk O'Brien: "A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate passed Bills with the following titles, instructions of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Bills 4969, 1486, 1552, 1585, 1618, 1647, 1655, 1692, 1699, 1708, 1713, 1716, 1732, 1736, 1749, 1760, 1769, 1771, 1772, 1793, 1892, 1899, 1909, 1914, 1922, 1926, 1936, 1937, 1940, 1944, 1950, 1953, 1954, 1964, 1984, 1992, 1997, 1998, 2039, 2049, 2053, 2057, 2068, 2098, 2105, 2111, 2127, 2128, 2161, 2162, 2166, 2176, 2182, 2190, 2191, 2192, 2204, 2205, 2229 and 2233, passed the Senate May 20, 1992. Linda Hawker, Secretary of the Senate'. Senate Bills, First Reading. Introduction - First Reading of Bills. Senate Bill 400, offered by Representative Homer, a Bill for an Act concerning Domestic Violence. First Reading of the Bill. Senate Bill 1618, offered by Representative Keane, a Bill for an Act relating to the affairs of the Illinois Mathematics and Science Academy. First Reading of the Bill. Senate Bill 1749, offered by Representative Levin, a Bill for an Act to amend the Condominium Property Act. First Reading of the Bill. Senate Bill 1760, offered by Representative Currie, a Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 1769, offered by Representative Steczko, a Bill for an Act to amend the Illinois Physical Therapy Act. First Reading of the Bill. Senate Bill 1772, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1892, offered by Representative Obrzut, a Bill for an Act to amend the Consent by Minors to Medical Procedures Act. First Reading of the Bill. Senate Bill 1899, offered by

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Representative Deering, a Bill for an Act to amend the State Finance Act, a Bill for an Act to amend the State Finance Act. First Reading of the Bill. Senate Bill 1909, offered by Representative William Patterson, a Bill for an Act to amend an Act to create the Producer Control Insurer Act. First Reading of the Bill. Senate Bill 1926, offered by Representative Lang, a Bill for an Act to amend the Uniform Commercial Code. First Reading of the Bill. Senate Bill 1936, offered by Representative Capparelli, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. First Reading of the Bill. Senate Bill 2161, offered by Representative Ryder, a Bill for an Act in relation to the improvement of literacy and basic skills. First Reading of the Bill. Senate Bill 2162, offered by Representative Ryder, a Bill for an Act concerning corporate franchise taxes. First Reading of these Senate Bills. Introduction and First Reading of House Bills. Senate Bill 2182, offered by Representative Black, a Bill for an Act to amend the Wildlife Code. First Reading of these Senate Bills. Introduction and First Reading House Bill 4213, offered by Speaker Madigan, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. There's Senate Bill introductions. Senate Bill 1615, offered by Representative Regan, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 1678, offered by Representative McAfee, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. Senate Bill 2131, offered by Representative McGann, a Bill for an Act to amend the Illinois Purchasing Act. First Reading of these Senate Bills. House Bills, Second Reading. House Bill 109, a Bill for an Act making

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appropriation to the Comptroller. House Bill 110, a Bill for an Act making appropriation to the Attorney General. House Bill 112, a Bill for an Act making appropriations to the Treasurer. House Bill 372, a Bill for an Act making appropriations to the Auditor General. House Bill 379, a Bill for an Act making appropriations to the State Board of Education. House Bill 382, a Bill for an Act making appropriations. House Bill 385, a Bill for an Act making appropriations. House Bill 871, a Bill for an Act making appropriations. House Bill 930, a Bill for an Act making appropriations to the State Treasurer for start-up expenses of the Financial Consumers Association. House Bill 2445, a Bill for an Act making appropriations. House Bill 2699, a Bill for an Act reducing appropriations of the State Board of Education and House Bill 2700, a Bill for an Act to reduce appropriations to certain state agencies. House Bill 2701, a Bill for an Act reducing appropriations to certain state agencies. House Bill 2703, a Bill for an Act to reduce appropriations to certain state agencies. House Bill 2704, a Bill for an Act to reduce appropriations to certain state agencies. House Bill 2705, a Bill for an Act to reduce appropriations to State Board of Education. House Bill 2729, a Bill for an Act making appropriations to the Department of State Police. Correction, that was House Bill 2829. House Bill 2831, a Bill for an Act making appropriations to the Office of Attorney General. House Bill 2832, a Bill for an Act making appropriations to the Department of Public Aid. House Bill 2838, a Bill for an Act making appropriations to the Department of Children and Family Services. House Bill 2839, a Bill for an Act making appropriations to the Department of Public Aid. House Bill 2840, a Bill for an Act making appropriations to the

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Department of Aging. House Bill 2841, a Bill for an Act making appropriations to the Bureau of the Budget. House Bill 2842, a Bill for an Act making appropriations to the Department of Central Management Services. House Bill 2843, a Bill for an Act making appropriations to the Department of Lottery. House Bill 2844, a Bill for an Act making appropriations to the Department of Corrections. House Bill 2845, a Bill for an Act making appropriations to the Department of Agriculture. House Bill 2855, a Bill for an Act making appropriations to the Department of Revenue. House Bill 2856, a Bill for an Act making appropriations to the Bureau of the Budget. House Bill 2860, a Bill for an Act making appropriation to the Department of Employment Security. House Bill 2861, a Bill for an Act making appropriations to the Department of Conservation. House Bill 2866, a Bill for an Act making appropriations of the Illinois Department of Transportation. House Bill 2867, a Bill for an Act making appropriations to the Department of Corrections. House Bill 2868, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. House Bill 2869, a Bill for an Act making appropriations to the Supreme Court. House Bill 2871, a Bill for an Act making appropriations to the Department of Children and Family Services. House Bill 2872, a Bill for an Act making appropriations to the Department of Public Aid. House Bill 2873, a Bill for an Act making appropriations to the Department of Public Health. House Bill 2874, a Bill for an Act making appropriations to the Department of Mental Health and Developmental Disabilities. House Bill 2878, a Bill for an Act making appropriations to the State Board of Education. House Bill 2881, a Bill for an Act making appropriations to the Illinois Board of

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Higher Education. House Bill 3084, a Bill for an Act making appropriations to the State Board of Education. House Bill 3085, a Bill for an Act making appropriations to the Common School Fund and the State Board of Education. House Bill 3523, a Bill for an Act making appropriations to the Illinois Educational Labor Relations Board. House Bill 3525, a Bill for an Act making appropriations to the ordinary and contingency expense for the Department of Veterans' Affairs. House Bill 3529, a Bill for an Act making appropriations to the ordinary and contingent expense for the Department of Aging. House Bill 3530, a Bill for an Act making appropriations for the ordinary and contingent expense of the Department of Rehabilitation Services. House Bill 3531, a Bill for an Act making appropriations to the Board of Comprehensive Health Insurance Plan. House Bill 3532, a Bill for an Act making appropriations for the ordinary and contingency expense of the Illinois Planning Council on Developmental Disabilities. House Bill 3533, a Bill for an Act making appropriations for the ordinary and contingent expense of the Department of Mental Health and Developmental Disabilities. House Bill 3534, a Bill for an Act making appropriations to the Medical Center Commission. House Bill 3535, a Bill for an Act making appropriations for the ordinary and contingent expense of the Illinois Health Care Cost Containment Council. House Bill 3548, a Bill for an Act making appropriations for the ordinary and contingent expense of the Department of Corrections. House Bill 3558, a Bill for an Act making appropriations for the ordinary and contingent expense of the Illinois Arts Council. House Bill 3559, a Bill for an Act making appropriations for the ordinary and contingent expense of the Historic

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Preservation Agency. House Bill 3615, a Bill for an Act making appropriations to the East St. Louis Area Development Authority for its ordinary and contingent expense. House Bill 38...I'm sorry, House Bill 3718, a Bill for an Act making appropriations to the Department of Conservation. House Bill 3719, a Bill for an Act making appropriations to the Office of State Fire Marshal. House Bill 3720, a Bill for an Act making appropriations to the Department of Alcoholism and Substance Abuse. House Bill 3724, a Bill for an Act making appropriations to the Office of Auditor General. House Bill 3726, a Bill for an Act making appropriations to the Industrial Commission. House Bill 3727, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. House Bill 3728, a Bill for an Act making appropriations to the Department of Military Affairs. Second Reading of these Appropriation Bills, and the Bills will be held on Second Reading."

Clerk O'Brien: "There being no further business, the House now stands adjourned."

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