

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

59th Legislative Day

5/15/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask you to turn off your cell phones, your pagers and your computers. We ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Reverend Festus Umeojiego of the Unity Church of the North Shore in Evanston, Illinois. Reverend Umeojiego is the guest of Representative Coulson."

Reverend Umeojiego: "It is my pleasure, very unique and very special pleasure, to be here with you in this place of history. It's really an incredible honor that Representative Coulson invited me to give this ti... prayer of invocation. So, we walk with the presence of God in this assembly knowing that the divine presence is here with us in this chamber as part of activity of everything that happens here. We'll give thanks for that divine presence here guiding us in every activity that takes place in this place. May God bless the work of your hands as you set aside personal concerns to attend to the people's business. May the work ethic out of here be a reflection of the goodness, that great goodness, of the human heart. May you be inspired to honor and respect each other as you listen to divine guidance in all that you do. And may we so honor one another that we celebrate our diversity. We celebrate the weak as well as the strong knowing that our work is even more fulfilling when we tend to the list of this one's. We invoke the divine presence upon your work, our work together and may God crown our efforts with unity and

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beauty and joy. In the name of our living God we pray, we give thanks, we celebrate You, celebrate Your work. Thank you, God, for this great assembly of Your people. And so it is, Amen."

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

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

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

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

Speaker Madigan: "Mr. Watson."

Watson: "Thank you, Mr. Speaker. Let the record reflect that we have no unexcused absence either."

Speaker Madigan: "The Clerk shall take the record. There being 118 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Scully, Chairperson from the Committee on Commerce & Business Development, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 179. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action

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taken on Wednesday, May 14, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1370. Representative Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on Wednesday, May 14, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1476. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Wednesday, May 14, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 167, Senate Bill 306, Senate Bill 1589; 'do pass as amended Short Debate' Senate Bill 61. Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on Wednesday, May 14, 2003, reported the same back with the following recommendation/s: 'do pass Standard Debate' Senate Bill 619. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Wednesday, May 14, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 191, Senate Bill 192, Senate Bill 206, Senate Bill 207. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, May 14, 2003, reported the same back with the following recommendation/s:

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'do pass Short Debate' Senate Bill 320; 'do pass as amended Short Debate' Senate Bill 133, Senate Bill 212, Senate Bill 408, Senate Bill 844, Senate Bill 974, Senate Bill 1075; recommends 'be adopted' House Joint Resolution 13. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Wednesday, May 14, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 813. Representative Slone, Chairperson from the Committee on Appropriations-Higher Education, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass Standard Debate' Senate Bill 1216, 1239, 1248, 1264, 1293, 1303, 1316, 1319; 'do pass Short Debate' House Bill 3735, 3737, 3738; 'do pass as amended Short Debate' House Bill 3726, 3727, 3728, 3729, 3730, 3731, House Bill 3732, 3733, 3734, 3736, and 3739. Representative Morrow, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3752, 3755, 3756, 3760, 3761, 3762, 3765, 3778, 3779, 3794; 'do pass Standard Debate' House Bill 3741, 3749, 3750, 3763, Senate Bill 1218, Senate Bill 1231, Senate Bill 1233, Senate Bill 1243, Senate Bill 1258, and Senate Bill 1266; 'do pass as amended Short Debate' House Bill 2289, 3758, 3769, House Bill 3773, and House

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Bill 3790. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 553. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 252. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 240; 'do pass as amended' Senate Bill 945. Representative Smith, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1028, 1336, 1363, 1382 and 1523. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 729. Representative Steve Davis, Chairperson from the Committee on Public Utilities, to

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which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 884. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on Thursday, May 15, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 726."

Speaker Madigan: "Mr. Froehlich. Ladies and Gentlemen, we need your attention for a few moments. We need the caucuses to end. Representative Mendoza, if you could take your chair. Mr. Aguilar, take your chair. If the Members could be in their chairs. Mr. Froehlich."

Froehlich: "Thank you, Mr. Speaker. I regretfully rise on a point of personal privilege. A constituent was killed this week in Iraq. Twenty-one year old Marine, Jakub Kowalik, was handling ammunition and he and another Marine were killed. Jakub was an immigrant who was not yet a citizen of the United States. He was an immigrant from Poland who came here at age ten and a permanent U.S. resident. And I'd ask if my colleagues could join me in a moment of silent prayer for a young man who gave the ultimate sacrifice for his country."

Speaker Madigan: "Thank you. Mr. Giles. Mr. Giles, you are the Sponsor of Senate Bill 70. The Bill is on the Order of Second Reading. Do you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

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Clerk Rossi: "Senate Bill 70, a Bill for an Act relating to education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Soto, Soto, Senate Bill 76. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 76 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Madigan: Representative Soto on Amendment #1."

Soto: "Thank you, Speaker and Members of the House. Floor Amendment #1 provides that the Nutrition Outreach and Public Education Program is to be established by the Department of Human Services instead of the Department of Public Health."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr... Mr. Holbrook, you are the Sponsor of Senate Bill 216. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 216, a Bill for an Act in relation to civil procedure. Second Reading of this Senate Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Nekritz, Nekritz, Nekritz, Nekritz. You are the Sponsor of Senate Bill 275. The Lady indicates she does not wish to move the Bill. Mr. Rita, Senate Bill 372, did you wish to move the Bill? The Gentleman indicates he wants to leave the Bill on the Order of Second Reading. Is Mr. Saviano in the chamber? 385, Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 385 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 is simply a cleanup to the... the rewrite of the Occupational Therapists' Practice Act. This was offered by the department and the... and the association. I would ask that we adopt Floor Amendment #2 to Senate Bill 385."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, 386, what is the status?"

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Clerk Rossi: "Senate Bill 386 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Saviano, has been approved for consideration."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #3 is a result of negotiations between the Illinois Veterinarian Association, some of the horse... horse... downstate horse groups. This is the last minute concern they had. And with this Amendment, this becomes an Agreed Bill. And I would ask that we adopt Floor Amendment #3 to Senate Bill 386."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Fritchey, do you wish to call 274? It's an Act in relation to liens. Mr. Clerk, what is the status of the Bill? Mr. Clerk, leave the Bill on the Order of Second Reading. Is Mr. Franks in the chamber? On Senate 467, insurance coverage. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 467, a Bill for an Act concerning insurance coverage. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Madigan: "Third Reading. Mr. Moffitt, did you wish to move Senate Bill 524? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 524, a Bill for an Act concerning fire protection. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Madigan: "Mr. Holbrook on the Amendment."

Holbrook: "Thank you, Speaker. What Floor Amendment #1 does is set up the same criteria for ineligibility due to criminal background for volunteer firefighters as it does for public firefighters coming under fire and police board. This came from a problem where they were hir... bringing on convicted arsonists onto the... some local fire districts down in my area."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Representative Flowers, did you wish to move Senate Bill 1067? 1067. The Bill is concerned with senior citizens. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1067, a Bill for an Act concerning senior citizens. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Flowers, has been approved for consideration."

Speaker Madigan: "Representative Flowers."

Flowers: "Mr. Speaker, I don't think I need that Amendment anymore. So, can we withdraw Floor Amendment #1?"

Speaker Madigan: "The Amendment shall be withdrawn. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Delgado, did you wish to move Senate Bill 1066? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1066, a Bill for an Act in relation to energy. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Delgado, has been approved for consideration."

Speaker Madigan: "Mr. Delgado, did you wish to present the Amendment?"

Delgado: "Thank you, Mr. Speaker and Members of the House. Amendment #2 will do the following: it makes the money... This is a technical Amendment. Makes the money in the trust fund subject to appropriations. This Amendment may be problematic because the money in the fund is received from donations and fundraisers and not GRF. So, it's problematic only in the sense of it will be subject to appropriations and it will not come from GRF. And I would ask for your favorable consideration."

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Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in... Mr. Parke. Mr. Parke."

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, how much money are we talkin' about that... is subject to appropriation?"

Delgado: "Representative Parke, it's my understanding that it was a... it came out to about... it was a five percent. This allows, this Amendment really just allows the institution to... to be authorized to spend that money. This is the Good Samaritan Bill. This is a checkoff on electrical from citizens that would be able to put those dollars into a fund and that fund would be administered by the state and they would be able to use five percent for administrative costs and the other five would be... this gives 'em the power to execute those dollars."

Parke: "And this is a checkoff for what cause?"

Delgado: "This is a... this is a... a Bill that was created by the Illinois Council... Action Council, the LIHEAP Program, which allows us who can pay our light bills to have a little checkoff and provide funds across this state to those families who may have difficulty to... in doing so."

Parke: "So..."

Delgado: "And it'd be administered by this agency we mentioned and they needed the authorization to then..."

Parke: "Could I..."

Delgado: "...disperse it."

Parke: "I'm sorry. Staff, could you step away."

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Delgado: "Yes, Mr. Lowder."

Parke: "Staff, could you please step away so I can... Thank you. I appreciate that. So, it's a... it's an Income Tax checkoff on our Income Tax, if we wish to make a donation to this cause..."

Delgado: "No, Sir."

Parke: "...then we could do that."

Delgado: "No, Sir. It would be on your electrical bills."

Parke: "Oh, it's electricity bill."

Delgado: "Yes, Sir. This..."

Parke: "So, it's a voluntary checkoff?"

Delgado: "That is correct. And that is through the LIHEAP Program."

Parke: "Yeah, that's a worthwhile program."

Delgado: "Yes, Sir. And..."

Parke: "And it's voluntary, so..."

Delgado: "Yes, Sir, it is volun..."

Parke: "...any citizen can ask to take... what? Is there a maximum of five percent or can they just give \$5 if they want?"

Delgado: "That is correct. They can do either one. They can take... you can checkoff what you think is right. I understand the Bill as saying, if you wanna add a dollar, you can add a dollar."

Parke: "Okay. And the five percent is a service fee?"

Delgado: "That is correct. That all service fee as to administrative costs."

Parke: "So, we're adopting your Amendment onto the Bill?"

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Delgado: "That is correct. We needed to give them the authorization to do so and that was something that we had overlooked in the overall legislation and this cleans it up."

Parke: "Okay. Thank you very much."

Delgado: "Thank you, Sir."

Speaker Madigan: "Mr. Holbrook."

Holbrook: "Representative Delgado, is this... is this what we discussed in committee, the cleanup technical language that you were gonna come up with?"

Delgado: "Yes, that is correct, Representative Holbrook. And thanks to you and other Members, especially our southern caucus Members who worked with my office and my staff in addition to Peoples Energy and ComEd and the Illinois Council... Action Council, as you know, and so the... to answer the rest of your question is 'yes'. And I wanna appreciate some of the smaller rural ones that I understood were having some difficulties in terms of fitting into this plan and because of advice we received, we were able to incorporate them and now everyone will be able to participate equally."

Holbrook: "With this Amendment then, this should clear up any opposition. There should be no opposition and everybody should be on board from our discussions in committee, correct?"

Delgado: "That is correct, Sir."

Holbrook: "Correct. Thank you."

Delgado: "This makes it a consensus piece of legislation."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Representative Chapa La Via. Chapa La Via. Mr. Watson, did you wish to move Senate Bill 1362? It's concerned with vehicles, 1362. 1362. 1-3-6-2. You don't wish... The Bill shall remain on the Order of Second Reading. Mr. Miller. Mr. Miller, did you wish to move Senate Bill 1364? It's concerned with public aid. The Gentleman indicates he does not wish to move the Bill. Eileen Lyons. Mr. Fritchey. Mr. Fritchey. Mr. Fritchey. Representative Currie, do you wish to move Senate Bill 1883? The Lady indicates she does not wish to move the Bill. Representative Yarbrough, did you wish to move Senate Bill 1983, 1983? The Bill's concerned with the regulation of professions. No. The Lady indicates she does not wish to move the Bill. Representative Currie, did you wish to move Senate Bill 1592? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1592, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Bellock. Mr. Clerk, on Senate Bill 44, have the notes been filed? Senate 44. Have the notes been filed?"

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Clerk Rossi: "Senate Bill 44 still has a state mandates note requested that has not been filed."

Speaker Madigan: "The Bill shall remain on the Order of Second Reading. Is Mr. Scully in the chamber? Representative Howard, do you wish to move Senate Bill 1156? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1156, a Bill for an Act in relation to health. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

Speaker Madigan: "Representative Howard..."

Howard: "Yes."

Speaker Madigan: "...on the Amendment."

Howard: "Thank you, Mr. Speaker. House Amendment #2 makes four changes to the Bill. It changes the definition of 'health... care provider' to include 'health care professionals', those being podiatrists, dentists, physician assistants and other certified persons who would provide HIV testing and counseling. It changes the definition of 'health care professional' to include... I think I said that. Replaces 'provider' in the place of 'professional' in the provision of the Act requiring the provision of counseling. This extends the requirement of the Act to a broader class of people conducting HIV/AIDS tests. And lastly, it requires that the Department of Public Health develop rules regarding the notification of uninformed spouses or parents of minor children about a patient's HIV status."

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Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, with your Amendment, what are... what are we trying to achieve? Can you give me an example of what your Bill will change."

Howard: "Well, actually, the Bill as it originally..."

Parke: "The Amendment, I'm sorry, the Amendment. What the Amendment changes."

Howard: "Yeah. The Bill adds... well, we had... The original Bill had neglected to specify which... what the definition is of a 'health care provider'. We said health care providers would be able to administer the new OraQuick test for HIV/AIDS, but we had not specified exactly who those health care professionals are. And so, we had to make certain that included were providers such as those in community facilities who also are... who have the... the licenses and certificates to provide."

Parke: "Who requested the Amendment, Representative?"

Howard: "Who requested the Amendment?"

Parke: "Right."

Howard: "Let me see. I know that I worked with both the AIDS Foundation of Chicago and Abbott Laboratories."

Parke: "Abbott?"

Howard: "Yeah."

Parke: "And this... In committee did anybody object to this or was it the clarification which everybody wanted?"

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Howard: "I am not... I think that there was a question asked, but I think that we satisfactorily answered it."

Parke: "So, you know of no opposition to your Amendment?"

Howard: "At this point, I know of no opposition."

Parke: "Thank you very much."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1330. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1330, a Bill for an Act relating to public utilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 1364. What is the status of the Bill?"

Clerk Bolin: "Senate Bill 1364, a Bill for an Act in relation to public aid. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Miller, has been approved for consideration."

Speaker Madigan: "Mr. Miller."

Miller: "Thank you, Mr. Speaker. Floor Amendment #1 to Senate Bill 1364 simply changes the word from racial classification to 'whites' to 'caucasian'. I ask for its adoption."

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

Clerk Bolin: "Floor Amendment #2 offered by Representative Miller."

Speaker Madigan: "Mr. Miller."

Miller: "Mr. Speaker, Floor Amendment #2 changes the racial classifications that are similar to DHS. I ask for its adoption."

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

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1983, Representative Yarbrough. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1983, a Bill for an Act in relation to the regulation of professions. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Yarbrough, has been approved for consideration."

Speaker Madigan: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the Body. House Amendment 1 to Senate Bill 1983 is sponsored by the Illinois Medical Society. This Amendment will require pharmacists, upon request, to provide a physician who is

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prescribing controlled substance for a patient with information from the patient's most recent patient profile. It includes information about any prescriptions for controlled substances. Uncoordinated, multiple controlled substances and drug-seeking tendencies promote a significant threat to the health, safety and welfare of patients. To address this threat, a physician who prescribes controlled substances should be provided with prescription information from pharmacies. I'd be happy to answer any questions."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, have you talked to Senator Demuzio about this Amendment since you're putting it on his Bill? Is he in agreement with the Amendment?"

Yarbrough: "No, I have not talked to him. It's my understanding that the Medical Society did."

Black: "All right. I would suggest... you might want to talk to Senator Demuzio before this Bill finds its way over to the Senate."

Yarbrough: "Thank you."

Black: "It might be in your best interest to do that. Thank you."

Yarbrough: "Okay."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say

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'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1373. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1373, a Bill for an Act concerning property taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Madigan: "Mr. Molaro. Mr. Sullivan."

Sullivan: "It's my understanding there's another Amendment that's supposed to be coming to the floor or back to committee."

Speaker Madigan: "I believe that that Amendment was not approved for consideration."

Sullivan: "Okay."

Speaker Madigan: "Is that the one that was concerned with new construction?"

Sullivan: "I'm sorry?"

Speaker Madigan: "Is that the Amendment that was concerned with new construction?"

Sullivan: "Yes, it was."

Speaker Madigan: "Yeah. That... that was not approved by the Rules Committee."

Sullivan: "So, the Amendment is still stuck in Rules?"

Speaker Madigan: "Yes."

Sullivan: "Are we still pushing this Bill without the Amendment?"

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Speaker Madigan: "Well, that would be at the decision of the Sponsor."

Sullivan: "Okay. Thank you."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Third Reading. Mr. Clerk, what's the status of Senate Bill 487? 487."

Clerk Bolin: "Senate Bill 487 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Put the Bill on the Order of Second Reading. Mr. Clerk, what is the status of Senate Bill 992?"

Clerk Bolin: "Senate Bill 992 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Put the Bill on the Order of Second Reading. Mr. Clerk, what is the status of House Bill 422?"

Clerk Bolin: "House Bill 422 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Put the Bill on the Order of Second Reading. Mr. Clerk, what is the status of Senate Bill 992? Mr. Clerk, we already did that Bill. Mr. Hassert, you are the Sponsor of Senate Bill 157? The Gentleman indicates he wants to leave the Bill on the Order of Second Reading. Mr. Scully, did you wish to move Senate Bill 243? It's concerned with computers. The Bill shall remain on the Order of Second Reading. Mr. Acevedo. Is Mr. Acevedo in the chamber? Mr. Acevedo, did you wish to move Senate Bill 679? It's concerned with human rights. Mr. Clerk, what is the status of the Bill?"

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Clerk Bolin: "Senate Bill 679, a Bill for an Act concerning human rights. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Madigan: "Mr. Acevedo. Mr. Acevedo."

Acevedo: "Mr. Speaker, at this time I'd like to pull it out of the record for an Amendment."

Speaker Madigan: "Mr. Clerk, at the request of the Sponsor, take the Bill out of the record. Mr. Fritchey. Mr. Fritchey. Mr. Poe."

Poe: "Yeah. Mr. Speaker, point of personal privilege."

Speaker Madigan: "State your point."

Poe: "Ladies and Gentlemen of the House, today, in the gallery we have Trinity Lutheran Church from here in Springfield with their school teacher Russell Benning. Let's give 'em a good Springfield welcome. Stand up guys."

Speaker Madigan: "The Chair recognizes Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I'd like to rise on a point of personal privilege."

Speaker Madigan: "State your point."

Jakobsson: "This morning I was handed a message from my secretary and I've since spoken to one of my sons who had his first child. I have a grandson named Gunar Hudson Jakobsson born this morning at 7:37 and weighing in at 6 pounds 12 ounces."

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Speaker Madigan: "On the Order of Senate Bills-Third Reading, on page 12 of the Calendar there appears Senate Bill 1035. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1035, a Bill for an Act in relation to child abuse. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1035 does three things. It removes Christian Science practitioners as mandatory reporters under the Abused and Neglected Child Reporting Act. It also extends the criminal statute of limitations regarding childhood sexual abuse. And it also extends the civil statute of limitations in regard to childhood sexual abuse. With regard to the first part of this Bill, the reason for removing Christian Science practitioners is that in the original statute had conflicting provisions concerning Christian Science practitioners, including them both as mandated reporters and also as clergy under 735 Illinois Compiled Statutes 5/8-803 (sic-735 ILCS 5/8-803) of the statute. This Amendment resolves this discrepancy by deleting Christian Science practitioners from the list of mandated reporters, leaving them to be covered under the reporting requirements for clergy of all religions. It should be noted that there is an exception for clergy as well, that they can still be claimed by Christian Science practitioners. The second part of Senate Bill 1034 (sic-1035) would permit prosecutors to file criminal charges against child sex offenders up to 20 years after the victim

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reaches the age of 18. Current law permits criminal actions to be commenced only until the victim reaches the age of 28 years of age. We believe this would, obviously, protect more children. We'd be getting these offenders off the streets. The third part of this Bill extends the civil statute of limitations. I passed a Bill with the exact same language approximately one month ago. And this is the exact same language. What this Bill would do, as far as the civil statute of limitations, it would permit a victim of child sexual abuse to file a civil suit against his or her perpetrator up to ten years after the victim reaches the age of 18. Presently, it's two years after the victim reaches the age of 18, or 5 years after the victim discovers the abuse and understands that he or she was harmed by this... by this abuse. This legislation is... is supported by the Attorney General, Lisa Madigan. It's also supported by the Cook County State's Attorneys Office. A lot of... has been said about this Bill. I explained to you what the Bill does. I also wanted to make clear a couple things that this Bill does not do. I... I've talked with Members on... on the other side of the aisle concerning this legislation. And I wanted to make it perfectly clear as far as legislative intent. What I am not trying to do with this Bill is to revive any causes of action where the... the statute of limitations has already expired. I want to be perfectly clear on that. I think the case law in the State of Illinois is clear. The case law is spoken, that if someone... the statute of limitations has expired on a

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perpetrator, that is a... a vested right. And we are not trying..."

Speaker Madigan: "Mr. Brosnahan. Mr. Brosnahan, some Members are asking that we bring the House to order. The Gentleman's presenting a Bill that relates to the statute of limitations and criminal sexual assault. So, you may wanna listen to his explanation. And then, I presume, questioning by Mr. Black. So, Mr. Brosnahan, please proceed."

Brosnahan: "Thank you, Mr. Speaker. As I was saying, as far as the... the leg... for purposes of legislative intent, the intent is not to revive causes of action that have already expired. The case law's clear in Illinois. And I wanted to make it perfectly clear on the record that that is not our intent. I think that is a vested right that... that people have, once the statute has expired. And we're not trying to do that. Also, we are trying to do is... is to improve the administration of justice. We're doing this Bill... I'm presenting this Bill because we think it will help victims of childhood sexual abuse. We think it will protect society. We think it will prevent these people from creating more victims of this horrible crime. I also think it's important that we keep an eye on this legislation. I hope it passes and I hope the Governor signs this piece of legislation. But I think we have to evaluate it. And from time to time we'll look back on this legislation to make sure that what we are doing is the right thing. And I... I strongly believe with all my heart

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that this is the right thing to do. I... I think it's very important. Many states have gone further than this, they have abolished the statute of limitations. We're not doing this. We think this is a reasonable step. I would ask for your support and I'd be happy to answer any questions. Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I... can you walk me through the Christian Science practitioner exemption? I... I know you mentioned that, but it's... it's supposedly built on a redundancy. But I'm having trouble finding that. I mean, they are currently a mandated reporter, correct?"

Brosnahan: "Currently, they are a mandated reporter under the legislation as it applies to clergy. But they are also included as a mandatory reporter... and... and, Representative Black, that's under 735 ILCS 5/Section 8-803 (5/8-803). But they're also included as mandatory reporters under Section 325 of ILCS 5/4. So, we put them in there two times. And they are the only clergy, they're the only religious group that has been singled out to be included in there twice. So, what we're doing is removing them from that first section, which is under 325 ILCS. We're keeping them in there as members of clergy. Now, the other thing to remember is, under 735 ILCS 5/8-803, there is a... an exception for... for clergymen. They can invoke a privilege

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that if this information was gathered in the course of... of doing their duties as a Christian Science practitioner that they can claim a privilege, kind of similar to an attorney/client privilege. So, they... they are still mandatory reporters covered under clergy, but there also is an exception for... for clergy members they can invoke."

Black: "So, the language..."

Brosnahan: "I hope that clears it up."

Black: "So, the language does not... if... if you're being counseled by a Christian Science practitioner and that practitioner engages in an act of abuse, we are not eliminating them by... by virtue of this language. We're not taking them out of prosecution under the Act that you're sponsoring, correct?"

Brosnahan: "That's correct. They are still mandatory reporters under a... a different section."

Black: "Okay. And... and they... they... a practitioner can still be held responsible for any act that they may be alleged to have committed while counseling a minor, even though they're... ya know, you know what I'm trying to say. The Christian Science practitioner will not be removed from potential criminal or civil liability by the language in this Bill."

Brosnahan: "No, they're still mandatory reporters, but also as members of clergy they would have... they have the right to invoke a privilege. Now, whether that applies or not is, obviously, would be up to the courts. But they are... are still mandatory reporters, under a different section. And..."

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and there is... so, it seemed like under the old statute we were singling out Christian Science practitioners and no other members of clergy."

Black: "Okay."

Brosnahan: "I... I think that wasn't the intent of the original language. So, we're just trying to clear that up. So, they're still mandatory reporters. But there is a privilege that they could invoke."

Black: "All right. Now, if I'm reading the staff notes correctly, the civil and criminal prosecution that this Bill, it's not accurate to say expands, but changes the time limit. It's... if I'm reading this correctly, this only... this Act will only apply to someone who was a member of the clergy. Is that right? Or would it be anybody..."

Brosnahan: "No, it would... it..."

Black: "... who would be accused of a criminal sexual assault?"

Brosnahan: "It would apply to anybody that was charged with criminal sexual assault of a child. It does not apply just to clergy members."

Black: "All right. Thank you for clearing that up, Representative. The... the State Bar opposition, and if I understand this, and bear with me, I'm not an attorney, is based on the fact that they're... they're not sure, if I read this correctly... when does the clock begin to run? I guess that's what their objection, if I can summarize it. What they seem to be saying is that this seems to be forever. I mean, if there really isn't a statute of limitations, if the person has no memory of the act until 35 years after

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the act was allegedly committed, then they... they can bring criminal action. And, if I understand the Bar Association's objection, they're saying this is a very open-ended law."

Brosnahan: "Well, I'll try to break it up into two sections. The first one is as far as the... the... extending the criminal statute of limitations, today it's a 10-year statute of limitations. Under this Bill it would be a 20-year statute of limitations. The... the statute does not begin to run on the criminal statute of limitations until the victim reaches the age of 18. So, right now, you would have until the victim reaches the age of 28. Under this legislation, if it's passed and signed by the Governor, you will have 20 years from the age of 18, or until the victim reaches the age of 38. So, that's clear when it comes to the criminal statute of limitations. It's a little bit different when we're talking about extending the civil statute of limitations. Under... right now, under present law, the victim has two years to file that civil action, based on childhood sexual abuse. That statute, again, does not begin to run until the victim reaches the age of 18. So, today we have until the victim reaches the age of 20 to file that civil statute... that civil action based on childhood sexual abuse."

Black: "Okay."

Brosnahan: "But, there's another part in civil law that states that the person, that the victim, also has within two years from the time they discover the abuse and that the injuries

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were caused by the abuse. So that's... it's called delayed discovery. So right now, under present law, someone that could be 60 years old could say that they had in the last two years discovered that they were abused by somebody, as an offender, when they were in their teenage years. And they just discovered that the injuries... that they are suffering now or relative to that abuse, they could file a lawsuit today within two years of discovering that. What this Bill does, it... it changes it. Instead of two years, I'll just read it off here, 'it gives the victim of childhood sexual abuse up to ten years to file a civil suit.' And again, that wouldn't start 'til the victim reaches the age of 18, so that goes to 28. Or within five years after the victim discovers the abuse and understands that he or she was... was harmed by that abuse."

Black: "All right. So, the criminal action, it seems to me that, if I heard you correctly, has a definitive period of time. And that is, must commence criminal action within 20 years of the individual attaining the age majority, which is 18."

Brosnahan: "The victim reaching the age of 18. Yes, that's correct."

Black: "All right. So... so, if you... if you file an action or want to file an action on your 40th birthday, claiming they cause... and cause and effect for the... for the alleged abuse, you're... you're not going to get a criminal action, correct? You could..."

Brosnahan: "No. For a criminal action, no."

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Black: "All right."

Brosnahan: "The victim has to be..."

Black: "But the civil action could run, literally, forever. Could it not? When... if you get a memory or something happens that triggers a memory and say..."

Brosnahan: "If... if there is a repressed memory, if there's a... a late memory problem, absolutely. But... but we're not changing it. What we're doing is we're saying now, under this law, you have within five years of discovering the abuse and the injury, you have with.. within five years you have to file that claim for delayed discovery, let's call it. Under the present law, you have within two years to file that lawsuit, based on a delayed discovery claim."

Black: "Well, what's... what protects the... the individual or the organization if the person says 50 years after the alleged incident, 'ya know, I just remembered this yesterday?'"

Brosnahan: "I... I think the protections... the way it works in... in the civil courts is someone just can't come in and tell the judge, 'well, I just recalled this abuse. I just put this all together that my injuries are a part of this abuse.' You need expert testimony. You need a forensic psychiatrist or a forensic psychologist to support that claim."

Black: "Okay."

Brosnahan: "So, you... you would need expert testimony."

Black: "And the civil case, refresh my memory, the civil case would be decided on the preponderance of evidence. Different than a criminal case, correct?"

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Brosnahan: "Diff... different burdens of proof, ye... yes."

Black: "Okay. My last question, and I really appreciate you walking me through this. I've had some people call me, some members of the clergy, particularly those who might serve on the board of ruling elders of a church. They're wondering what safeguard they have as an... as a legal entity if they face a civil action for something that occurred when none of them were on the board and all of the members who may have been on the board have passed from the scene, the new members have no recollection of this, they weren't even around at the time. And, what happens if the alleged perpetrator of the abuse has subsequently passed away? Is... is the case then transferred to the entity that hired the priest or the member of the clergy? Or can only be commenced against the individual?"

Brosnahan: "I... I think I can answer that. I don't know if I'll answer... answer it satisfactorily. But, when this Bill first came up when... when I had passed the House Bill over, extending the civil statute of limitations last month, this was another issue that came up. And my understanding, the case law, after talking with... with victim advocates and some attorneys that I worked with on this Bill, under the case law, in order for an entity, whether it's a small, independent church or whether it's an Arch Diocese of Chicago or any church. My understanding of the case law is they can only be held civilly liable for an action based on childhood sexual abuse if the entity had notice that the offender actually did the abuse or if the entity possibly

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contributed to it by letting it go on, either maybe by covering it up or taking some other actions. Now, there... there's all types of different notice, there's constructive notice, an actual notice. And, ya know, that's... some of that's gonna be up to a court to decide, whether that entity had notice that the person was abusing children."

Black: "I... I think that's the... the only cautionary flag that has occurred in our discussion. Is if the alleged perpetrator has passed away, those people running, say the Arch Diocese of Chicago, none of them were around when the alleged incident took place, the alleged perpetrator is no longer living. What is there... is there any limit placed on the Arch Diocese of Chicago? Or are they simply going to be held liable for the action of people who are no longer living and who are no longer involved in... may... they may not be all gone, they may be all dead. So, you have no one who can testify in a court what they did or did not do to try and prevent the... the incident."

Brosnahan: "And, again, Representative Black, they're excellent questions. And... but I think, my understanding of the case law is, you're gonna have to prove that that entity that you're trying to hold civilly liable, had notice. They had notice that the abuse was going on or that that entity did something to cover up the abuse or that, basically, didn't do anything to stop it. That's my understanding of the case law. So, I know that those... some of those groups that you mentioned had concerns about this. But, I... I think... and I've asked some of the opponents of this legislation

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when they... when they brought that same question up to me. They said what if someone dies and that person is no longer with our entity, what do we do? You're gonna hold us liable, we're going to be going out of business, we're gonna have to close up shop. And I asked them to please to talk to anyone you want to. Please give me an example of a situation where an entity had to... to close up or they were held liable when they did not have notice or they didn't do anything to cover it up, show it to me. That was over a month ago and no one has shown me a case yet that has happened."

Black: "All right. So... so, you used the word 'would have notice'. I assume that that means in a court you would have to establish the fact that they had reasonable knowledge that abuse was occurring."

Brosnahan: "I... I think that's a fair characterization. The only reason I don't want to say 'yes' definitively is because in actions like this, I guess, there's all different theories, too. You... someone could allege maybe there was negligent hiring. So that's totally some... something totally different that we're talking about."

Black: "Okay."

Brosnahan: "But... and notice can be actual or it can be, ya know, constructive notice. So, it... it's... I think we're almost getting to the questions now where it's... it's better left for a trier of fact, a judge or a jury to make a determination of what notice is. Because there's..."

Black: "Okay."

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Brosnahan: "... there's different definitions of that, really."

Black: "My last question, and I... I really appreciate your answers. Did... did the Catholic Conference sign in in opposition during any of the testimony of this Bill?"

Brosnahan: "I don't believe so. I... I could be wrong, but I... I don't think they wrote an opposition slip."

Black: "All right. Sta... staff said that they... she thinks that they did sign in opposition to the original House Bill..."

Brosnahan: "I think maybe..."

Black: "... but not the Senate Bill."

Brosnahan: "And... and I think they had an opposition to the original House Bill, but then we amended it. There are a lot of people didn't like our first version. But then I did an Amendment on that House Bill..."

Black: "Okay, all right."

Brosnahan: "... and I believe the Catholic Conference did not file an opposition slip."

Black: "Thank you very much. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, this, I'm sure, will pass with a substantial number of votes. I... I really appreciate the Sponsor's forthright answers to questions that I know many people have raised over the last two or three weeks. This is a very complicated Bill with some ramifications for institutions that many of us hold near and dear to our heart. And yet, it also raises some questions about something that nobody in their right mind is going to condone or turn their back on. But when you do have a complicated Bill like this, it makes it very... a much more

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pleasant experience to have someone like you, Representative, answer the questions forthrightly, to the very best of your ability. And I really appreciate that. Because I... I just did not have a very good understanding of how far-reaching this Bill was until we've had our conversation. So, thank you very much."

Speaker Madigan: "Is there any further discussion? There being no further discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. How's Mr. Hoffman recorded? Mr. Clerk, take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 7... 1578, Senate Bill 1578. What is the status of that Bill?"

Clerk Rossi: "Senate Bill 1578 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Read the Bill for a third time."

Clerk Rossi: "Senate Bill 1578, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Flider."

Flider: "Thank you, Mr. Speaker. Senate Bill 1578 was a Bill that was drafted in conjunction with the Illinois Attorney General's Office, specifically Illinois Attorney General Lisa Madigan and is supported by the Illinois Chiefs of Police, the Fraternal Order of Police, and The Southern Illinoisan. Senate Bill 1578 requires that persons convicted of manufacturing methamphetamine reimburse the

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government for the cost of securing and cleaning up these clandestine meth labs. These meth labs are actually considered to be toxic waste sites that endanger the communities where they are located and they cost thousands of dollars to secure and clean up. And this... the principle behind this legislation is simple and that is that if you make a mess, you should clean it up. This legislation passed the Senate by a vote of 54-0 and I encourage your 'yes' vote on this legislation."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Third Reading, there appears Senate Bill 1793. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1793, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1793 is a Senate Bill that says... was a bipartisan support. It came over from the Senate 54-1. It's endorsed by the Illinois Attorney General, the Illinois Chiefs of Police, the Illinois Fraternal Order of Police, and The Southern Illinoisan. All this Bill says is that people who manufacture methamphetamines in places

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where children may be harmed by the exposure may be sentenced to twice the maximum jail sentence and fined twice the maximum amount allowed under current law. The measure helps to protect children whose safety is threatened by meth addicts who turn their homes into drug labs. And I urge an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Bill is on the Order of Standard Debate. The Bill is on the Order of Standard Debate. That means that at the most six people will speak to the Bill. We've already had one. We will have five more. Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. I'm about as standard as you can get. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, a dumb question, but every time I fail to ask one of my dumb questions, I regret it. There are... as you know, there are farm chemicals that are in use in my district every day that are key ingredients of methamphetamine. Now, I just want to make sure that this is drafted properly and I'm sure you do too, because we have schools right next to agricultural farm ground. If... if that farmer is spraying anhydrous ammonia, an ingredient of methamphetamine and the wind comes up and the anhydrous may or may not blow onto school property, there's nothing in this Bill that would hold somebody doing a lawful and legal act liable for prosecution under this Bill. In other words, it clearly states that the ingredients or the fumes

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or the damages must be brought about by an illegal act of the manufacture or storing of methamphetamine, correct?"

Phelps: "Yes, correct."

Black: "All right. So... so, we don't have anything to worry about on those ingredients that are lawful and legal that might be used close to a school or a home in an agricultural area like, I think, you are and I am. I just wanna make sure that this is drafted so properly we don't have to worry about that."

Phelps: "Representative, this doesn't change anything, just changes the penalties, that's it."

Black: "All right. So, if a farmer leaves an anhydrous tank out in the field, as they often do, it springs a leak during the night or as is happening in my area quite a bit, the methamphetamine people try to break in the anhydrous or steal the anhydrous ammonia, may rupture the tank or break the hose causing a release of the anhydrous, the farmer bears no liability for the actions of someone doing the illegal act in the first place. Correct?"

Phelps: "Matter... matter of fact, this... what this Bill's intent is, is to make it stiffer law so that we can protect the farmers..."

Black: "Okay."

Phelps: "...as you're saying."

Black: "All right. I just had a couple of farmers wanna make sure that we didn't leave that open-ended. And I didn't think it was, but I wanted to put it on the record. Thank you."

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Phelps: "Thank you."

Speaker Madigan: "Representative Flowers."

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

Speaker Madigan: "The Gentleman yields."

Flowers: "Sir, I, too, have a dumb question, but I just need to know the answer. Your Bill speaks of the exposure of the toxic films of methamphetamine. Am I correct? So, now, for example, if I have a needle, a legal needle, with my methamphetamine in it, am I exposing children... children to toxic films?"

Phelps: "It's... This is only pertains to the manufacturers or that if you have the intent to sell or traffic the methamphetamine."

Flowers: "Okay."

Phelps: "Not the user."

Flowers: "No, I have it in my needle that... I'm not ready to use it yet, but it's just in my needle in my pocket and I'm going to pick up some kids from school. Is that exposure be... but it's in my... it's in my syringe."

Phelps: "And once again, Representative, this is just a manufacturer... all this Bill says 'a manufacturer or the intent to sell or deliver.' That's it."

Flowers: "Oh, okay. Thank you."

Phelps: "Okay. Thank you."

Speaker Madigan: "Mr. Fritchey. Fritchey."

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

Speaker Madigan: "Sponsor yields."

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Fritchey: "Brandon, obviously, it's a laudable purpose you've got here. Something that you're probably aware of and my concern is and with the intent is much as the drafting of this Bill. When somebody manufactures methamphetamine, as we've learned, residue from that production can reside in the carpeting, in the drapes, in the walls for months or years following the production of that methamphetamine. And the way the legislation reads, right now, my concern or not my concern, but I guess my question is, an individual is convicted of manufacturing methamphetamine. A year after the fact, perhaps another family moves into that apartment, that family has a child. They didn't find out that previously somebody had manufactured methamphetamine in that apartment and that child potentially suffered exposure as a result of the meth... of the manufacture that took place years before when there was not a child there, can... can that individual and you know, obviously, we don't... we're not tryin' to go easy on these people by any means, but can that individual subsequently then be charged a second time for having endangered a youth?"

Phelps: "This has to apply to the person that was convicted of the manufacturing of it."

Fritchey: "I understand that. But somebody could be convicted of manufacture in a location and then, the way this Bill is drafted, two years later they could then be charged again for manufacture of methamphetamine that endangered a child."

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Phelps: "The child would have to be there during the... during the manufacturing of it, Representative."

Fritchey: "No, that's actually, with all due respect, that's not true. Because the language of the Bill says, 'where a child under 18 years of age resides, is present or is otherwise endangered by exposure to the methamphetamine, methamphetamine ingredients or waste or process.'"

Phelps: "It's during the present time, not two years down the road. It's during the exact present time."

Fritchey: "Brandon, that's not how this Bill reads. That may well be the intent. That is... that is not... You know what, the Bill's gonna fly outta here. I don't think that anybody, myself included, would vote against it. But we have prosecutors who are rightfully zealous in going after this kinda crime. But I'm telling you, that the way this Bill reads, right now, it could be used to come after somebody down the road."

Phelps: "And Representative, they first have to be convicted of that first and foremost."

Fritchey: "Understood."

Phelps: "Yeah."

Fritchey: "But you can be convicted and what this gives you is a penalty enhancement of double the sentence for a situation... there's not a knowing requirement here. An individual can make meth in an apartment that they live in by themselves, they can get convicted for that manufacture. A year later, a family could move into that apartment, that

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child could suffer consequences from exposure from the residue from the previous manufacture."

Phelps: "And Representative, it's possible it could be a double jeopardy issue, as well."

Fritchey: "Potentially, but not necessarily. It... I would actually argue that the way it's written, it's a separate offense. There is manufacture of meth, there is manufacture of meth that endangers a child. If they're charged at the same time, one may in fact be a lesser included, but you may not have the damage or the knowledge at the time. There's no... there's no knowing requirement either here. I... you know, I'm not... I'm not trying..."

Phelps: "No, I understand."

Fritchey: "...and I'm not trying to trip ya up and I'm, as I said, this is gonna go forward, but... and, yeah, this... it's a potential problem that we need to be made aware of. I want it on the record, so that if it does come back, that we didn't say that we were caught unawares. There's a drafting issue here. We cannot simply keep saying we're gonna get tougher and ratchet things up and ratchet things up and look for every permutation of the crime without taking into full account what it is we're doing here. I applaud you for what you're doing by virtue of who I see standing next to you."

Phelps: "Right."

Fritchey: "I'm assuming it's an initiative of the AG's Office and I commend them..."

Phelps: "Well..."

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Fritchey: "...for doing this, but please be aware and I'd ask the people that brought the Bill to ya to be aware that you are potentially setting somebody up for conviction of a crime that they had no knowledge of committing."

Phelps: "Actually, this... this... this legislation was drafted 'cause this happened in the true story of where a person got pulled over and... on a traffic stop, the child from that backseat of the car came out vomiting, turned out to be a meth lab in the car."

Fritchey: "And... and if we were dealing with a child residing or being present, I fully agree with you, but when you talk about something that is as broadly worded as, 'or is otherwise endangered by exposure', that... that's a really, really broad catchall that we're putting in this Bill."

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

Fritchey: "All right. Yeah. I've made my point. I just wanted us to be aware. Thank..."

Phelps: "Thank you."

Fritchey: "Thank you, Speaker."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The

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Chair recognizes Mr. Bost for the purpose of an announcement."

Bost: "Thank you, Mr. Speaker. If I could have the Body's attention. We have someone visiting us today that many of the... many of the people that are here may have served with whenever he was in the Senate. Many of you may have served when he was in the House. He was originally elected to Con-Con back in... he served with the 1970 constitutional rewrite. He's in the gallery with us and that's Senator Ralph Dunn."

Speaker Madigan: "The Chair recognizes Mr. Hoffman for the purpose of an announcement. Hoffman."

Hoffman: "Yes. Thank you, Mr. Speaker. With regard to Senate Bill 748, I would move to suspend the posting requirements on Senate Bill 748, so it can be heard tomorrow in Higher Education."

Speaker Madigan: You've all heard the Gentleman's Motion. Is there leave? Leave is granted and the posting requirements are suspended for Senate Bill 748. Representative Younge."

Younge: "Thank you, Mr. Speaker. In reference to Senate Bill 1098, I inadvertently voted 'yes', it was my intention to vote 'no' and I want the record to reflect that."

Speaker Madigan: "The record will reflect your statement. Mr. Novak in the Chair."

Speaker Novak: "Representative Novak in the Chair. House Bill 3515, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill. 3513, page 7 of the Calendar. Mr. Clerk, read the Bill, please."

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Clerk Bolin: "House Bill 3513, a Bill for an Act making appropriations to the State Comptroller. Third Reading of this Senate Bill."

Speaker Novak: "Repre..."

Clerk Bolin: "Third Reading of this House Bill."

Speaker Novak: "Representative Davis."

Davis, M.: "House Bill 3513 is the comptroller and treasurer's Bill... appropriation. The total fiscal year '04 requests for operations is \$26,907,300; GRF Funds 25,727,000; other, 1,150,300. This represents absolutely no change from the Governor's recommended level. The total fiscal year '04 requests for officer salaries is 30,140,000. The General Revenue Fund is \$28,857,800. And from other, it's \$1,282,200. This represents no change from the Governor's recommended level. The total fiscal year '04 requests for the office of treasurer is \$1,050,951,000... 9... \$400. The General Revenue Fund is \$18,662,700. And other is \$1,032,288,700. This represents no change from the Governor's recommended level. And we urge an 'aye' vote."

Speaker Novak: "Thank you. Is there any... any discussion? The Gentleman from Cook, Mr. Parke."

Parke: "Thank you, Mr. Speaker. I have an inquiry of the Chair. I have an inquiry."

Speaker Novak: "State your inquiry, Sir."

Parke: "Yes, Sir. Are you planning on now calling this list of appropriation Bills?"

Speaker Novak: "That is the intent..."

Parke: "Is that the intent?"

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Speaker Novak: "That is the intent of the Chair."

Parke: "Okay. Then may I have the attention of the Body, then Ladies and Gentlemen."

Speaker Novak: "Could we have the attention of the Body, please? These are..."

Parke: "You need to understand that this is now gonna be Roll Calls on legislation dealing with the budget. It doesn't talk about where the money's gonna come from. The Sponsor's shared that this is the first of probably 25 Bills that will address spending for the next fiscal year for the people of Illinois. You need to make sure that you pay attention to each of the speakers to make sure you understand that what part of the Governor's introduced budget is... is being presented. These are important Bills and I think the Body needs to pay close attention on how they're gonna vote on these to make sure that they can justify these votes later on. It makes no regard to where the money's gonna come from. There's an awful lot of assumptions that the Governor's budget makes and if those assumptions don't come to pass, then we'll have a problem funding the programs that are being voted on. So, I just then... to the... to the Bill, if I could. May the Sponsor yield?"

Speaker Novak: "The Sponsor will yield."

Parke: "All right. Now, you stated, Representative, that this is as introduced by the Governor. There's been no changes by the... no appropriation, no Amendments put on, this is strictly the way it's come from the Governor."

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Davis, M.: "That's correct."

Parke: "And... Was there any discussion on this... on this proposed line item in the budget... I mean, this part of the budget? Was there any discussion in committee when you presented it?"

Davis, M.: "The... the fiscal agent for the treasurer... in fact, the treasurer came herself."

Parke: "I can't hear you. Could you speak more into the mike?"

Davis, M.: "The treasurer came before our committee..."

Parke: "Okay."

Davis, M.: "...and said she would... she could live with this budget, recommended by the Governor."

Parke: "Thank you."

Davis, M.: "And the comptroller."

Parke: "Thank you."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Sponsor will yield."

Black: "Representative, refresh my memory and we all know the seriousness of the fiscal crisis. What... what did the Governor say, I cannot remember, in the budget address? Did he say that every state agency should take a two percent cut or hold a two percent reserve?"

Davis, M.: "Governor Blagojevich stated that he would require his agencies to hold a two percent reserve."

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Black: "All right. And of course, the comptroller is a constitutionally elected office and that would explain why his cut is less than one percent."

Davis, M.: "This is the recommended level by the Governor for the comptroller."

Black: "And it shows approximately a .6 percent reduction, less than one percent."

Davis, M.: "It's about that amount, yes."

Black: "Okay. I... it's gonna be hard to keep a running total, but I know that young staff person there next to you will probably be able to give us a running total before we leave today, don't you think he might?"

Davis, M.: "Let me just say, we have the finest staff available in America and I'm proud that they are standing here with me, Sir."

Black: "We... we both have outstanding staff."

Davis, M.: "And if you need them to do something for you, Representative, we'll make sure it's done."

Black: "Representative, to understand this year's budget, I may need your staff and our staff, but we'll wait and see. Thank you very much."

Davis, M.: "You're welcome, Sir."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Fayette, Mr. Stephens."

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

Speaker Novak: "Sponsor will yield."

Stephens: "Were there some 'bs' in your budget... in your Bill? Amounts that started with a 'b', like 'billion'."

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Davis, M.: "Yes. The Treasurer's Office."

Stephens: "Okay. And you said that the treasurer came before the committee?"

Davis, M.: "Treasurer bonds. Yes, the treasurer did come to our committee."

Stephens: "And the comptroller came before the committee?"

Davis, M.: "Yes, they both did."

Stephens: "Okay. Did... is there a special message that they had for us?"

Davis, M.: "They were very glad to be there, Sir."

Stephens: "I'm a little curious as to why those two elected officers came before the committee and yet, you haven't expressed to me or to our side or to the rest of the Body what they had... they just came in and said, your budget's good because..."

Davis, M.: "They..."

Stephens: "...it's the Governor's budget."

Davis, M.: "They sat before the General Services-Appropriations Committee and they explained their budget, their request, which was in line with Governor Blagojevich's gubernatorial message."

Stephens: "So, these two agencies, elected statewide, that was their particular budget that they drafted?"

Davis, M.: "You know, we didn't discuss who drafted it, Sir. When you're on the General Service-Appropriation Committee, usually the... the director of that agency with his or her fiscal agents come before the General Service-Appropriation Committee and they give us a breakdown of what their

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request are. And this is what all of our constitutional officers did, every single one of them..."

Stephens: "All right."

Davis, M.: "...came to our committee."

Stephens: "Then they... So, they stayed all warm and fuzzy, the comptroller and the treasurer, and a representative of the Governor, is that right?"

Davis, M.: "Well, the Governor didn't come, but all of those who did come were extremely warm and fuzzy. In fact, I got suspicious of 'em."

Stephens: "Very good, Representative. That's all I have."

Davis, M.: "Okay."

Speaker Novak: "Thank you. Thank You. Further discussion? The Gentleman from Lake, Mr. Beaubien."

Beaubien: "Yes. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Beaubien: "Now, I was... I was out of the room. This is a rather substantial budget number, is it not? As I read, it's one... one billion, is that correct?"

Davis, M.: "Is it the treasurer's... yes, it's over one... one billion, um, um. It's over a billion. It's \$1,050,951,400."

Beaubien: "Okay. Thank you very much. I think, the one concern that I've had and a lot of us over here have had, on this side of the aisle, it's been mentioned by other speakers. Is it... We have not yet an opportunity to review the revenue side of the equation. So we're passing Bills on spending before we have the revenues and I believe that's

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accurate. I just want you to know, that makes a lot of us quite... quite concerned."

Davis, M.: "I think... I think, Representative, the spending requests will help to guide the revenue necessary."

Beaubien: "Okay. Thank you. I have no further questions."

Speaker Novak: "Any further discussion? Mr. Beaubien, your light's still on. Seeing none, the question is, 'Shall House Bill 13... excuse me. Ms. Davis to close.'"

Davis, M.: "I would just add, Mr. Speaker, that the comptroller's budget was reduced by two percent and these agencies, directors or comptroller and the elected officials came before our committee and this is their budget request. And I just urge an 'aye' vote."

Speaker Novak: "Thank you. And the question is, 'Shall House Bill 3513 pass?' All those in favor 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. Franks. Mr. Clerk, take the record. On this question, there are 80 voting 'yes', 22 voting 'no', 16 voting 'present'. And having reached the required Constitutional Majority, House Bill 3513 is hereby declared passed. Mr. Brady, you have an announcement?"

Brady: "No."

Speaker Novak: "Mr. Brady, for an announcement."

Brady: "Thank you, Mr. Speaker. We'll have an announcement very, very shortly, if I may be called upon here in the near future, again."

Speaker Novak: "Well, how shortly?"

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Brady: "Oh, a couple minutes, maybe."

Speaker Novak: "Okay, thank you."

Brady: "Thank you."

Speaker Novak: "Mr. Brady, are you ready for an announcement?"

Brady: "I do believe that I am now ready, Mr. Speaker. And..."

Speaker Novak: "State your announcement, Sir."

Brady: "The announcement would be that the Republicans are going to caucus immediately in Room 118, a Republican Caucus in Room 118."

Speaker Novak: "Okay. The caucus..."

Brady: "Thank you."

Speaker Novak: "The Republicans will caucus in Room 118 and we will reconvene at the hour of 2:15 p.m. The House stands... And the Democrats may do wish... may do want they want. We're in recess."

Speaker Novak: "The House shall come to order. House Resolution 311. The Gentleman from Cook, Mr. Lang. Mr. Clerk, read the Resolution, please."

Clerk Rossi: "House Resolution 311."

WHEREAS, The members of the House of Representatives of the State of Illinois would like to congratulate our long-time colleague, Charles A. "Chuck" Hartke, as he retires from his position as State Representative for the 108th Legislative District; and

WHEREAS, Representative Hartke served in the Legislature since his appointment in 1985 and served in leadership

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during part of his years in office; he is retiring from the Legislature to serve as the Director of Agriculture; and

WHEREAS, Throughout his tenure in office, Representative Hartke has made agricultural legislation one of his top priorities; he sponsored legislation to improve "mega hog farm" standards, open additional markets for Illinois agricultural products, and promote value-added products; he co-sponsored legislation to create the AgFirst Development Program that will provide counseling, grants, education, and technical assistance to farmers experiencing economic difficulties; he also co-sponsored several measures aimed at increasing ethanol usage as an alternative fuel; and

WHEREAS, Representative Hartke promoted all issues in agriculture, even when the subject matter brought questions and jokes from this Body; one example was during the 88th General Assembly when Representative Hartke brought House Bill 904 before this Body; this ground breaking legislation provided an occupational and use tax exemption for those businesses in Illinois that deal in bull semen; he weathered the expected jokes, and successfully provided these small business owners the seed they needed to grow their industry; and

WHEREAS, Representative Hartke has shown dedication and commitment to education; he has been successful in helping his district secure much needed school construction grants;

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he has focused on finding equitable and fair school funding formula for his Southern Illinois District and has continued to provide students with state-of-the-art educational equipment; and

WHEREAS, Representative Hartke has worked consistently to reduce the tax burden on homeowners, senior citizens, and lower income working families, by supporting the Illinois Earned Income Tax Credit, Circuit Breaker expansion, and property tax rebates; and

WHEREAS, Chuck has been active in public service for most of his life, first by valiantly serving his country in the U.S. Army from 1966 until 1968, including a tour in Viet Nam; he served on the Effingham County Board from 1971 to 1974, and was elected Secretary of the Democratic Central Committee in 1976, and was elected as Effingham County DCC Chairman from 1978 to 1985; and

WHEREAS, Chuck and his wife, Kathy, have two children, Chris Hartke and Kim Deters, along with five grandchildren; Chuck is active throughout his community in a variety of roles; he is a member of the St. Francis Parish, the Knights of Columbus-Teutopolis 2874, the American Legion-Dieterich, the 40 et 8-Effingham, the VFW-Altamont, AARP, the Farm Bureau, and the Farmers Union; therefore, be it

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RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Representative Charles A. "Chuck" Hartke on the occasion of his retirement from the Legislature, and we commend him for his dedication to the citizens of the 108th Legislative District; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Chuck as an expression of our respect and esteem and with best wishes for and utmost confidence in his future as the Director of Agriculture."

Speaker Novak: "Mr. Clerk, there seems to be no one seeking recognition. Oh, it was just my... I'm sorry. I'm sorry. The Gentleman... the Gentleman from Sangamon, Mr. Poe, please."

Poe: "First of all, I want to congratulate Chuck, also. But, now that he's an official... has a second home, his second home's gonna be in my district. So, I'll welcome him to Springfield. But I do want to tell you one little story about Chuck last year at the State Fair, Chuck and I was talkin'. He circled the fairgrounds three times trying to get in. And he wasn't the happiest camper in the world. But I think we're gonna solve that problem this year. And so, any of you visit the State Fair you'll be able to drive right in and you won't have to circle the fairgrounds three times before you get in. True story, Chuck? And so, he wasn't a happy camper that day. And... and he's gonna remember where he come from. And when any House Member

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comes to the State Fair call him, and we'll make sure you get him in there on time. But we want to welcome Chuck to Sangamon County."

Speaker Novak: "Thank you. The Gentleman from Jackson, Mr. Bost."

Bost: "Thank you, Mr. Speaker. Ya know, just a quick story about... about Chuck, here. Whenever I first came into the General Assembly I was a target. I know there's a few of you that might remember that. And Chuck was kind of assigned the job, because the Republicans were in the majority, to... every time I got up to speak, to ask me multiple questions. My first Bill I was surrounded by staff and he brought up the wise comment that probably if the staff would get away from me, I knew my Bill well enough and I could probably answer the questions. But after about 27 Bills that year, the last Bill was dealing with a Bill that was a long-term homeowner exemption. At which time Chuck asked, 'exactly, what is a long-term homeowner?' He said that in the life of a fly long-term could be 24 hours. But, ya know, we just wanted to know what the Bill said. And I said, 'well, Chuck, I'm not sure what your district is like, but in mine... my... the flies in my district don't vote, and this deals with people.' And he got to laughing and he said, 'well, you've got better at this.' But one of the main things that Chuck told me when I first got here is, is whatever we're debating each day here, we may argue, we may disagree. And then at the end of the day we go up and we laugh and we probably go out to

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dinner that night because tomorrow we'll be working together on something. Chuck is truly respected by all of us, and he'll be missed in this chamber. But we know that he will do a wonderful job as the Director of Agriculture. It is where his experience is, where we know that we can trust him. And we know he's always gonna be a friend of this Body. God bless ya, and... and have a good time there."

Speaker Novak: "Thank you. The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. I move the previous question. No, I... Mr... Mr. Speaker and Ladies and Gentlemen of the House, I know the hour grows late and we have a lot to do. But... and Chuck, it would be redundant to say what... what we all think of you. And... and it's positive, it really is. You're a class act, you're a Gentleman, your... your talent will be missed in this chamber. I can assure you, you've already been missed in running the Chair. And that... that does not cast any stone towards the person currently sitting in the Chair, but it comes close. Chuck, I've had the... I've had the privilege and pleasure of visiting with you at your farm right after you built your new hog washing unit. The only hog washing unit I ever saw with a diving board, I was fascinated with that. You... and I was serious earlier in the year when I kept asking when your appointment would be made. Agriculture, I think many people in this chamber, unfortunately, forget. We are, and... well, we have been an agrarian state. It is very, very important to the history of this state, and I daresay,

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to the future of this state, is in the roots of our agricultural system. Whether it's value added like Archer Daniels Midland, whether it's ethanol, whether it's biodiesel. Ya know, people tend to forget when they go to the grocery store and pick up milk and eggs and... and bacon, or whatever, where that comes from. And it comes from people like you. And I know that you will do a good job for the farmers in the State of Illinois. You'll do a good job for the taxpayers in Illinois. Because you're a fair man, you're a... an honest man, you will listen. And I just feel very, very confident and comfortable in the direction that we will go in agriculture with you at the helm. I... I just want to say one thing. In all the arguments I've had with you, none of them have ever been personal and you and I know that. And I would like to just set the record straight. As God as my witness, the night that a Kleenex box was thrown towards the podium, I was blamed for that. That the truth be known, the lovely and talented Lisa, who sits behind me, sneezed. And that's the result of the Kleenex box. I... I never wanted to say that until now. But... true... true story, Chuck. As you know, I never tend to exaggerate. But in all seriousness, wish you the very best. We know we have somebody, that whether it's from Chicago or Carbondale, we can talk to. Because I... I just wanna make a ple... a plea to all of you, and I know Chuck would join me in this. No matter where you live in this state, you have an interest in agriculture. Food and fiber is a key and integral part of the economy of this state.

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And we will never be as wealthy as we want as a state if we tend to ignore our agricultural roots. And as long as we have somebody like Chuck Hartke in the Department of Agriculture, I don't think that'll happen. Chuck, the very best, it's been a privilege and a pleasure to have worked with you in the House. And I think even a greater privilege and pleasure awaits all of us in working with you as Director of Agriculture. Best wishes always."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Before I go into my more prepared remarks, just a couple of quick comments. First, I think the outpouring of applause when Chuck was introduced indicates how anxious we were to have him leave. Second, Chuck's birthday was last week and it was kind of him to leave early enough so that I didn't have to blow \$50 on a birthday cake. So I appreciated that. Ladies and Gentlemen, when I became a Member of this Body 16 years ago, I started mid-term. And when I got here the first day I had barely ever been in Springfield, hardly knew anybody here. And when they brought me to the House they said sit here. Well, they sat me down next to this guy, Chuck Hartke. I didn't know him from Adam then. What did I see when I sat down? I saw a guy wearing a suit with overalls over the suit, wearing a tie with little cars that you could move up and down the tie. Any of you remember that tie he used to wear? Well, we struck up a conversation immediately. He tried to explain to me what

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was going on in this Body. And first I had to interpret what he was saying because not only did I not understand the lingo of the House of Representatives, I couldn't understand anybody from Effingham. I... that dialect was lost to me. But we became very good friends very quickly, we spent a lot of time together. As you know, we're today roommates, have been for some years. But, ya know, the man... the man's not quick to spend a dollar, let me say this. Many of you... many of you know that we have homes in Springfield where three of you will share a three bedroom home. Chuck's first apartment here was six guys in a two bedroom home. He invited me over for dinner one night and wherever I sat he said, 'you can't sit there.' And I said, 'why not?' He said, 'well, that's so-and-so's bed.' So, no matter where I sat he wouldn't let me sit. And so I had to eat standing up. Chuck is dedicated to agriculture. In fact, one night there was a knock on my bedroom door at four in the morning, panicked, pounding on my door. And, 'What? What?' He says, 'I have to talk to you about something right now.' I said, 'what is it?' He said, 'come out here.' So we go out in the living room and he proceeded to teach me about the Grain Code, at four in the morning. Now, those of you who know about the Grain Code know it really isn't a fit conversation for anytime of the day. But to be awakened at four in the morning to discuss it, I thought was interesting. No, he provided no food, he provided no coffee. But three hours later I became the only Legislator in Cook County that had even heard of the

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Grain Code. And I appreciated that. So, we know he's dedicated to agriculture. Chuck's also a great decision maker. In our apartment, when we moved in, we still had to find some things for the apartment. So, we went out and we bought a shower curtain, and it's a very ornate shower curtain with all kinds of things on it. But we couldn't find a window curtain that would go well with the shower curtain. We went to Target, we went to Wal-Mart, we went to K-Mart, we went everywhere we could go. We couldn't find anything. And it was a Friday and he said, 'don't worry, I'll find something over the weekend.' And on Saturday he called and said he did find something. I said 'great.' He said, 'come on in Monday morning and we'll take a look at it.' And I said, 'great.' And I called him up and I said, 'is it up?' And he says, 'it's up.' And I went in and I saw a shower curtain, this very nice blue and oran... yellow, ornate thing. And I looked at the window and he did find something to match, he found another shower curtain which he put on the window. And so that's the kind of decision making, tough, strong decision making that we need from a Director of Agriculture. Let me say, on a certainly more serious note, that Chuck is one of the more dedicated public servants I have ever known. You know he's dedicated to agriculture, you know he's dedicated to his district. But I think just as important, you know how dedicated he has been to this General Assembly, to his colleagues here, to his colleagues in the Senate. A man whose very serious about the work of this Body. A man

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whose very serious about what we do here. And is dedicated, not only as a friend to us, but as a colleague in our effort to pass legislation to help our districts in the State of Illinois. So, they have found the perfect Director of Agriculture in Chuck Hartke. He will do wonders for them, he will do wonders for all the citizens of Illinois because as my colleague, Bill Black, has said, agribusiness and agriculture are important to all twelve and half million citizens in Illinois, whether you own a farm, work on a farm, or use some product that's made on a farm. The bipartisan outpouring of support and love for this man is warranted, but is obvious. Nowhere else have we seen this kind of desire and effort periodically mentioned on the floor of the House throughout this Spring Session, about how important it was to us in this Body that Chuck Hartke made... made the Director of Agriculture. And we will miss him in this Body for his knowledge, for his effort, for his inspiration. But he's going on to a place where he can help all of our citizens lead a better life. Let me also say that I don't lose a friend in this Body, because he's still here and we may still be roommates. But my friendship with Chuck goes way beyond public service, goes way beyond what we do in Springfield. He has become my best friend over the years. I wish him and his family well. And I thank you for your efforts to help Chuck get where he deserves to be, being the State Director of Agriculture. Thank you very much, Mr. Speaker."

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Speaker Novak: "Further discussion? The Lady from... from Lake, Representative May."

May: "Chuck, I'm one of the few who have the... the honor and privilege of calling you 'Emperor' Chuck. I was very fortunate to be on one of your China trips. And we called him 'Emperor' Chuck and we made up a little ditty about 'Emperor' Chuck the whole time. One of our fond mementos was the photo we took of you in the regal yellow robes... robes with all of the headdresses. Representative Biggins, and you and I just treasure this. And it was so interesting to see this wonderful southern Gentleman with the drawl from... from southern... or to mid-central Illinois, sounds southern to us, but... leading tea ceremonies in these formal banquets, ya know, with the... the ceremonial roles of state. It was just amazing, and you handled it so well. So, you were a Gentleman for all seasons. We love you, we're gonna miss you. But you're gonna be a great Director of Ag. Thanks."

Speaker Novak: "Further discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I, too, have been out with Chuck 'til four in the morning, but we weren't talking about the Grain Code. There was some grain, but I think it had been fermented. In any event, I, too, want to add my word of respect and affection for... for Chuck. He's really been a wonderful, wonderful Member. And perhaps beyond his family in Illinois and his love of agriculture, there's no place that Chuck loves more than China. And it was a great

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pleasure to be with Chuck on one of those trips. And to learn of Chuck's skills at diplomacy. Because when Chuck would speak to the various officials and diplomats with whom we would meet, I asked him what his secret was in being able to communicate with those individuals. 'Cause they smiled and nodded all the time that Chuck was sharing his insights. And the secret was he just kept talking louder and louder. He said if you speak really loud they'll understand ya. And so, I guess that was the answer. And I perhaps the clue to any universal translation in any language. But in any event, I think in view of Chuck's great fondness for China and his... the respect with which he is held there, that this Resolution ought be translated into Chinese and forwarded to the appropriate officials, so you can continue to lead those great junkets to China. Good luck, Chuck. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Knox, Mr. Moffitt."

Moffitt: "Thank you very much, Mr. Speaker. Chuck, first of all, congratulations. It... it took a long time to make it... make it final. But we're... we are so happy. It's certainly with mixed feelings, and I'm sure you feel intense emotion as... as you stand in this chamber and the number of years that... that you've poured your heart out here to making Illinois better. And it's with mixed feelings that, really, we address you today. We're happy for you, we're happy for agriculture in Illinois. But certainly, we're sad that... to not have you working directly here. But we

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know we're gonna work with you in a lot of other ways. It's... I wish that those freshmen or younger Members could... could've heard the discussion when you had that Bill on the bull semen and the uproar and the razzing that you took on that. You even made national news on that. I think it was Charles Osgood covered that and had a... had a st... had a story, a segment about you on the bull semen. You handed out a lot of advice, and I certainly listened to you when I came in as a freshman, and continue to listen to you. I cosponsored a Bill with you, and I was actually advised not to. And it was one to make... make it mandatory to teach CPR in all of our schools. And... and I felt we should, and I still... still do think that everyone that's... that's a member of society that graduates should be taught CPR. I remember you just... you fought for that and you said, 'look, you... we need to teach more people. You can't give it to yourself.' And so you... you fought for that. And that's certainly one of your legacies. Another advice you handed out was don't take it too personal. Ya know, fight it on the issues, but don't take it personal. Certainly great advice. Another one of your legacies, and I haven't heard it mentioned here when the issue came up about mega-hog farms and... and the attempt to even eliminate them or stop them. You introduced some legislation to control mega-law firms, as I remember it, to control that. And that... that will be another one of the interesting legacies that... that you leave here. You will be an outstanding Director of Agriculture, Chuck. I look forward to working with you in

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that capacity. And I join with those others, and really everyone in this chamber, telling you that we look forward to that. And Godspeed to you, to your family, to the department that you're serving. It has been an honor and a privilege to serve with you. And if we can just model our actions and the way we approach each other as you have set. Congratulations, we wish you the best."

Speaker Novak: "Further discussion? The Gentleman from Clinton, Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. First all, Representative Lang wanted me to tell everyone... invite them to Remy's for a reception for Representative Hartke tonight... Director Hartke. He wanted all of you invited because he's not paying for it. So, please feel free to invite anyone you'd like to come. And... and... well, I'm sure most of you know his wife, Chuck's wife, Kathy, who is a wonderful, wonderful person, obviously very tolerant, and is... is on the border of sainthood. And, in fact, we know, Chuck, that you told us you were going to be Director of Ag. after the election, and you told us that last year. But you assumed it'd be Governor Lang, but... but, sometimes things just don't work. But we know that, in all seriousness, you have been an outstanding Legislator. You've been an outstanding advocate for southern Illinois and all of our interests. There is simply no finer person that can be Director of Agriculture, bar none. This Body is going to lose a lot. And I'm not talking about weight, I'm talking about institutional experience. Because you have worked on

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a bipartisan basis, you have the respect of everyone in this chamber, you have simply been a tremendous asset for this institution. And we are all going to miss your presence here very, very much. So, you will do an outstanding job, as everyone said. And we're just all gonna miss you very much."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Morrow. Mr. Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Chuck is one of those old-timers that's been around a long, long time. And I'll never forget my first year down in Springfield in 1987. The first Member to ever lobby me on a Bill was Chuck Hartke, and it happened to be a hunting Bill. And it was a hunting Bill to allow blind people to hunt. Now I, being from the south side of the City of Chicago said, 'well, ya know, we're trying to take guns out of gangbangers' hands and put guns in the hands of blind people.' I thought it was the most idiotic Bill in the world, at the time. Why would we let blind people hunt? And I basically told him in so many words that he was an idiot. I found out that blind people do hunt, with visual assistance, show you what I knew. But Chuck and I have something in common. I'll never forget when the Black Caucus went down to Effingham for a retreat and Chuck laid the red carpet out for us, brought the mayor and every other elected official. We were staying at this quaint hotel, I forget the gentleman's name, but... but his mom ran the hotel and they laid the red carpet out. But I'll never

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forget the next day, he took us to his hog farm. And every Black Caucus Member, being from the city, didn't like the smell, wanted to put their boots on. And I was the only Member that never put his boots on. And Chuck said, 'what's wrong with you?' And I said, 'Chuck, I'm just like you. My family owned a hog farm in Mt. Pleasant, Iowa. I'm in hog heaven.' And we enjoyed ourselves. Chuck, we're gonna miss you, some of us will. But you've done an outstanding job. And when people like you have served this great state as long as you have and with the honor that you have had, you should be recognized for it. Your family should be proud of you. Thank... God bless you and your family. And do a good job at the Department of Agriculture. And make sure that you take care of black farmers."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. McKeon."

McKeon: "Thank you, Mr. Speaker. On a more serious note, when I first came here... my first term, about seven years ago, there was a debate on a number of Bills about hog farms between, I think, Ricca Slone and... and Chuck Hartke. And I just want everyone to know this kid from the city, on the north side of Chicago, learned more about hog effluent and where we had to put it than I ever wanted to know. And it took me a while to figure out what hog efflu... effluent was. But I think the thing that... one of the things that moved me the most, and we've talked about Chuck's prowess with agricultural issues, was a debate around a couple of Bills

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that we had floating in that... that Session about adoption and adopted children. I was adopted at childbirth, I think about four or five weeks old. One of my colleagues here, Representative Feigenholtz, was adopted. But I remember and I was deeply moved. He reminded me of... of my father, in terms of the care, the compassion, the love, and support that you've given to your two adopted children, your son and your daughter. They're up here. Where are they? Why don't we... wave, wave, wherever you're at. So, just, ya know, as an adopted child and someone who deeply loved my adopted parents, I'm sure that same love is there from your daughter and your son. And I want to congratulate you and Mrs. Hartke for the sacrifice, the compassion, and the love that you've demonstrated to your son and your daughter. Thank you very much."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Effingham, Representative Grunloh."

Grunloh: "Thank you, Mr. Speaker. Chuck, I... I didn't have a prepared statement. Mark actually wrote something up that I... and I proofread it. But I didn't think it was quite appropriate to read, so... But, I... I do know how respected you were in the 108th district. I didn't... I didn't quite understand how respected you were here. So, I found that out in the last week, so... and you... everybody's told me I've got big shoes to fill. And I've... I think that's gonna be true, so... But, I'm gonna... I'll do my best. So, congratulations on your new job and thanks for the seat."

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Speaker Novak: "Further discussion? The Gentleman from Sangamon, Representative Brauer."

Brauer: "Thank you, Mr. Speaker. Ya know, where does one go to start describing Chuck. I mean, I have a lot of the same roots that Chuck has, we both raise hogs. And, you know, people don't realize how truly important livestock is to this country... to this state. And I think Chuck does that. You know, I was... I was honestly scared to death that Chuck would not be named Director of Agriculture. I know of no other person in this state that is more qualified to fill these shoes than Chuck. And so I... I'm personally very, very happy with this appointment. Let me tell you a couple stories. All... although I'm a freshman, I've been around quite a while during several hearings to listen to Chuck. And when you look up the definition of 'common sense', there's a picture of Chuck Hartke. And when... you know what they say about common sense, it's not all that common. We're in one hearing and it's this mega-hog farm thing, which was certainly close to my heart. And Chuck heard about as much as he could. And Chuck got up and he said, 'ya know, I smelled hogs this morning.' He said, 'I had bacon for breakfast.' One lady came to that hearing and said, 'I don't why we need all these farms, there's plen... plenty of food on the shelves.' And when you have that sort of attitude, ya know, we're... we're gonna have a lot of problem in... in the future. Another story about Chuck, there was this hearing and the Cook County was wanting to outlaw these little monkeys as pets. And the hearing went

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on for about an hour, went back and forth. And no one quite knew which way it was going to go. And finally, Chuck asked the questions, had these monkeys ever killed anybody? And in five seconds the committee hearing was over. And that's the kind of common sense that Chuck's going to bring to the Department of Agriculture. And, for one, I am very happy. I have farmed all my life, which is ten years shorter than Representative Poe has farmed. But I really look up to Chuck. And, ya know, the State Fair's coming up. The State Fair is very important for the Department of Agriculture. So, if you wanna talk to Chuck and get free tickets, the number is 785-4789, 785-4789."

Speaker Novak: "Thank you, Mr. Brauer. Further discussion? The Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. When I first arrived here, about the same time as Representative McKeon, Representative Hartke was the first person here to say, 'Stand up, Ricca.' But certainly not the last. And I want to thank Representative Hartke for setting an example for me and for all the other Legislators who have come after him in all these years, of how to really be a standup Legislator. We thank you for everything you've done. We'll miss you tremendously. And we know you'll do a wonderful job."

Speaker Novak: "Further discussion? The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Congratulations, Chuck, Kathy. We... we know you're gonna do a great job. Some of the

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things I know... we know... all know Chuck's leaderships ability, the way he was able to keep the cows calm, the way he was able to get Lou Lang to eat pork. I mean, a number of things that he's... he's done as... as a leader... leader in this thing. He's had a stellar career. You know, in agriculture we miss you on the committee, we have mixed feelings. Our... our committee hearings are much shorter now... now that you're not there. That makes a big difference. Chuck... Chuck asked a lot of questions and gets a lot of answers and does a very good job. But, ya know, he's someone that all... everyone looked up to be... because of his history and his passion for this... for this Body. He's also someone who he had all the new Members. Ya know, we point out to Chuck and say, 'look it, there's Chuck Hartke. If he can get reelected wearing ties like that, you shouldn't have any problem.' Ya know, we always took care of Chuck. But he was good. So, as Chairman of Agriculture I look forward to working with you throughout the years to promote agriculture. Ag's the #1 industry in the state. And there's no one in this state that represents agriculture better than Chuck Hartke. Congratulations."

Speaker Novak: "Further discussion? The Gentleman from DuPage, Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. And... well, Chuck, ya know, you're not only a great man but you're a great friend, and that's more important. But whether you're in committee with ya, on the floor, in that chair or over in China, we all know we can always count on Chuck. We have, and we

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will continue to do so in the future. Your appearance before the Appropriations Committee last week was the only easy one you're ever gonna get. And... but we'll look forward to... to seeing ya in the future and working with ya as we go forward."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Speaker. And I would like to join with the other Members... and a lot of us from downstate who have looked up to Chuck and his leadership for many years. And we thank him for his time and his service here, his compassion, and his ability to bridge gaps between caucuses and to see, basically, to the heart of the issue. So, that insight will be missed here in the House. But we... we welcome you as the leader for agriculture. And... ya know, it's... I'm also delighted to hear... I know this... this job in this chamber is... is tough on the family life. But I understand that you're taking Representative Lang with you to the new director's house, and I want to make sure that... that that's a happy home. I understand you were getting new curtains the other day. We're delighted for the both of you. I wanted to... to also thank Mrs. Hartke for sharing your husband with all the people of the State of Illinois. We greatly appreciate his skill, his work, his determination. And he will do a tremendous job for all the people of the State of Illinois. We're proud of you, Chuck."

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Speaker Novak: "Thank you. Further discussion? The Gentleman from Winnebago, Mr. Winters."

Winters: "Thank you, Mr. Chairman... Mr. Speaker. And I did notice that for much of this discussion we both... we had two assistant Leaders up there trying to fill the shoes that Chuck did so admirably in the... the many long hours that he spent up there. I think he... he treated all the Members of this Body very respectfully in the way that he ran the Chair. And I have to congratulate you and use you in example for future speakers. Very interesting... I... I actually had my first opportunity to golf this week with Chuck and I noticed he's really taking this role as Director of Agriculture incredibly intensely. Seemed like every hole he was out wondering around in the tall grass checking on the... the growth of that grass. It's a... you know, the grass inspector of all golf courses in Illinois. I think, Chuck, you're going to fit in well as the Director of Agriculture. I also, as a... as a longtime farmer, myself, and as a cattleman, I don't quite bond as well as the hog men in the chamber. But, I have had occasion a couple times in the last... every three years I have to renew my certified pesticide applicator license. I take that test out at the Department of Ag. Chuck, I'd like you to sit in with me next time and see if you can pass the same test. But it's... it's great to know that we will have an actual farmer at the controls in the Department of Agriculture. My one regret, the greatest regret I have of... at Chuck leaving is that I am now the sole remaining

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Member. Tom Ryder has gone on to... to a higher calling, Chuck now leaves. I am onl... the only remaining Member of the short-fingered caucus in the House. And I've enjoyed... I've enjoyed our many jokes about that. Best... best of luck in your future at the Department of Ag, Chuck."

Speaker Novak: "Thank you. The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Mr. Hartke, Mr. Hartke. We know that Mr. Hartke will be perfect at the Department of Agriculture because anyone who can lead a group of Legislators through China and have the patience, the friendliness, never get upset, keep us together, and try and get certain people not to be late will have an easy time at the Department of Agriculture. But I learned the other night at the COWL show that Chuck will also remain forever young. Did everyone see Dave Syverson's, Senator Syverson's skit where he said that you can tell the age of a man by the way they wear their pants? Now, I have walked behind Chuck Hartke in China and in other places. And if you are a young man your pants are way down to here. And I have wondered how he kept those on. If anyone's ever walked behind him, his pants are way down. So, he will remain forever young, according to Senator Syverson. Good luck."

Speaker Novak: "Point well-taken, Representative. Further discussion? The Gentleman from Cook, Representative Delgado."

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Delgado: "Thank you, Mr. Speaker. I, too, join... I know Chuck has talked in front of every freshmen class. I've been here at least five years, but they tell me he's been doing it since the early... or late 1800s, I mean 1900s. But, it's wonderful to see an instructor, a mentor, a veteran like Mr. Hartke who... when I came down and I was very, very fortunate, my wife came along with me to make sure I was all neat and had all my notes in order, and Chuck brings a lot of knowledge to all the freshmen classes. And, you know, my family down in Puerto Rico are hog farmers, too. We gotta get it right to hog farmers. And those hogs wind up on our tables in Humboldt Park on the northwest side some way or another. And it's always wonderful to walk... work with a mentor and someone who is very, very fair, works with everybody. And, on behalf of all of us on this side who has that second language, 'Que diota vendiga', God bless you. And Mrs. Hartke, thank you so much for sharing such a great Gentleman with the State of Illinois. And, Representative Soto wants to get up to say something but her floodgates will come on. And she's a very passionate woman, but I'll let her do her own thing. But to the rest of you all, God bless you, too. Got a great leader. Good luck, Chuck."

Speaker Novak: "Thank you. Further discussion? The Gentleman from De Kalb, Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker. Chuck, I'm sitting here as people were talking and trying to remember the first time we met. And I didn't know how... how this would all turn out

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back then. But it was in the '80s and you were a new Member in the Illinois House. And I was involved with the Pork Producer Association and I was serving as Chairman of the Illinois Pork PAC, which has a whole lot different meaning today than it did back then for me. And we asked you as a new Legislator to come and talk to us about, ya know, just why in the heck you'd run for... for this job and that aspect of it. Now, I'm not gonna say that because of that meeting and what you said caused me to run for State Rep. later on, because I wouldn't be telling you the truth. That had nothing to do with that. I wasn't very impressed with you, actually, from that... that conversation. So, fortunately, we had an opportunity to spend much more time together. And Ladies and Gentlemen of the House, you must... you must understand that... that Representative Hartke have... do have a similarity, we both come from the... from the pork industry, which means we both literally moved from the hog lot to the Legislature. And, that... which means we also, if we knew how to walk in it, we knew how to work in it. So, Chuck's success probably stems from that... from that position. Chuck, I just simply wish the best to you. We've had Directors of Agriculture here in Illinois before who've done a fine job, who had an ag background. But you not only bring... bring an ag background, you bring a... a... years of success of working with people and getting things done. And I think that's gonna be your real plus as... as our Director of the Department of Agriculture here in Illinois. And the best to ya."

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Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Director, you were so kind to all of us new Members, to host us, you and Lou, at the New Members Legislative Conference. And throughout the conference there were a lot of questions, and lot of answers, and a lot of Members participated in the program to share their experiences and give advice. So, I remember we were sitting, eating dinner one night and someone said, 'what's the best advice you can give us?' So, Lou rattled off about 16 different things. And then Chuck got to speak and he said, 'be honest with your colleagues, always tell them if you're going to be with them or against them. And know the rules, learn the rules.' So, Chuck, the last time I got to address you from this microphone I was reading the rules and I made a little Motion. So technically, it wasn't really my fault. You told me to know the rules. But, about five weeks had gone by, or six weeks maybe, since the time you resigned and the time I made that Motion. And I realized that you knew the rules because I was never recognized whenever you sat in that Chair again. But thank you for your generosity to all of us freshmen. And your institutional knowledge is incredibly invaluable. And we're glad that you'll be close by so we can still lean on you. Thank you."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Graham."

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Graham: "Thank you, Mr. Speaker. Congratulations, Mr. Director. As being the new kid on the block, I was following you in this trusty old Calendar here. And I had a first Bill that I was trying to call. And when it came down to my Bill you skipped over it. And I said, 'Oh.' So I ran up to the front and he saw me coming and... and he was still talking and I was poking him on the shoulder like, why didn't you call my Bill? Ya know, I had a little anxiety. And I'm often shy most of the time, but when I want to get a point out, ya know, I kinda make that point. So, I was kind of saying, ya know, he said, 'just a minute, please, and I'll answer your question.' And... and he did. And I just want to thank you for just being kind and generous to the new kid on the block who kind of gets a little boisterous at times. And I kind of like want an answer like right away, and you kind of held off and helped me out of my situation. But, nevertheless, you did call the Bill. And I was happy to get the Bill out of the way 'cause I had a little bit of anxiety. But thank you for your kindness and your patience for the new people to this Assembly, 'cause I'm very new. I'm quite boisterous at times, but most of the time I'm... I'm a kind and generous person. And I want to thank you for exhibiting that with me. Thank you."

Speaker Novak: "Further discussion? The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Mr. Director. I remember I met you before you were here in the House. I had the

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privilege of meeting you when you were in Effingham County and I was working on a campaign and traveled to Effingham County quite frequently. And it was shortly after that that I learned you were appoi... coming here. And I thought, wow, I know him. And I... I felt really honored to know you. And then when I would come to Springfield for things with Recorders Association (sic-Illinois Association of County Clerks and Recorders) you were always so kind and you... you recognized me and you knew who I was when I was with that group. And then after coming to the House as a freshman, being new again, you exhibited how, ya know, your wonderful kindness, your... how you just are willing to let new people come to you and ask you questions and help train us. Thank you again, and congratulations."

Speaker Novak: "Further discussion? The Gentleman from Crawford, Mr. Eddy."

Eddy: "Thank you very much. I also want to add my congratulations to Chuck. I have known Chuck for many years. During most of the time Chuck has been here he has been my Representative. I'm a constituent of his. As a school superintendent, I found that Chuck would always make himself available to our area superintendents to discuss legislative initiatives as they... as they impacted education. I know of many times that Chuck traveled while he was in Session, down to Olney, Illinois from here just to talk to us and update us about what was happening in Springfield. And I want him to know how much that meant to me as a constituent, as a superintendent, to have someone

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who would take the extra time and effort to drive and stand in front of us and answer our questions. So, I appreciated him as a Representative. And as a freshman to this Body, I can only say that Chuck has been as gracious and as kind and giving with his time as anyone here. I appreciate everything that he's done for me from a constituent standpoint. And as a new Member of this Body, the kindness that he has shown me and the advice that he has given me to this point. And I actually, rather than saying goodbye to him, I look very much forward to working with him in his new position. Congratulations, Chuck."

Speaker Novak: "Thank you. Further discussion? The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. I direct the Ladies and Gentlemen of this chamber to look up at the screen. There is, not the Director of Agriculture, or the former Representative of this chamber, but 'Emperor' Chuck, nonetheless. Hey, let's give him a big round of applause. 'Emperor' Chuck. Director, I'd love to just take this opportunity to tell you that I wish you absolutely nothing but the best. It's been an honor and a privilege for me to have served with you as a Representative, as your friend. And I share something very special with Chuck Hartke that no one else in this chamber does. All right, come on, let's not get... get your minds out of the gutter. Yes, on August 14 of 2001, Chuck Hartke and I flew a kite in Tiananmen Square in Beijing. And I can tell ya, it was a wonderful experience. It's something I will never, ever,

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ever forget. It's unique, I know, to Chuck, and myself. And it was a memory that I'll have with me for the rest of my life. But Chuck, I'm so honored and happy that you are our Director for Agriculture. As an urban Legislator, perhaps we often don't pay enough attention to those issues as we should. With the last year, as a Legislator, I've been able to go out to Bureau Farm County, Bureau County, and meet with some of the farmers there and learn about agricultural issues. I look forward to working with farmers some more. But more importantly, they have their number one advocate, and who I believe will be the best director this state's ever seen. So, thank you, Chuck, for your friendship, for your mentoring. It's... I... ya know, I learned so much from you, both on a personal and professional level that I'll never forget. And on behalf of my mother, who is my heart, thank you for all your kindness and... and, ya know, caring about her when we were on that trip in China. And thank you for just wonderful memories that will always be with me. Thanks."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Lyons."

Lyons, J.: "Just a couple quick Chuck Hartke reflections. I, being in the class on '96 and '97, I got sworn in that summer, I think I got sworn in on August 12th. On August 14th I get this big voluminous thing on his position on hog farms. Didn't have a clue... of all the issues you're going to be dealing with from the City of Chicago, here's all this information on hog farms. I also hear all these

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things about Chuck's propensity maybe for short arms and long pockets. Well, Chuck had this fabulous 1988 Delta Oldsmobile that I think you drove down here until it had about 300 and some thousand miles on it. The only reason he quite driving it is 'cause he couldn't get parts to fix it anymore. And I think that is a fact. But Chuck, what... bearing no expenses in his golf outings, used to get the car washed and waxed. And I believe it was a prize that if anybody got a hole in one at your golf outing, Chuck, they won this fabulous '88, Delta '88, from... with the 300 thousand miles on it. But if there's one legacy all of us have to remember and thank Chuck Hartke from, and if you don't think it works when I do this, it'll bring back the memory. Eileen Lyons, you and I used this the other day to get the cast to be quiet at Cap... at COWL Capitol Capers and it works any where you go, Ladies and Gentlemen. The Chuck Hartke method, 'Shh...' Thanks, Chuck. God love ya."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Davis, Monique Davis."

Davis, M.: "Thank you so much. You know, I really didn't want to get up and speak 'cause I thought I'd get all choked up. Chuck sat here next to me for a number of years. And there's nobody in this Body who can say 'no' as quickly as Chuck Hartke. And I really want to hear him say that just one time before he leaves. The way he can quickly say 'no' and turn that head up. We had many conversations about a number of issues. I learned a great deal from Chuck Hartke. We come from different places in the State of

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Illinois and yet, we can come to compromising positions that don't hurt or harm any citizens in the State of Illinois. It is wonderful to see a Member of our Body leaving here to go on to another career. Chuck Hartke, every evening... his office was right down two doors from mine, every evening when I'd go upstairs, Chuck Hartke is busy, he's on his computer, he's reading, he's writing, he's on the phone, he's serving his constituents. And I want to thank him so much for teaching me how also to say 'no'. God bless ya, Hartke."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Fulton, Mr. Smith."

Smith: "Thank you, Mr. Speaker. Chuck, I want to join your long list... list of well wishers here today. We probably could have just started at the top of the Roll Call and gone down the list. But, we certainly have had a lot of discussions together about hog farms, and dry cleaners, and a few other things. And it's been a pleasure to work with you. And to Chair the Ag Committee for four years with you as a member, I sometimes felt inadequate in that position but was glad to know that I had you there to help me and advise me. And... this is kind of a bittersweet day because I think I've always looked upon you as one of the institutions within this institution. And one of the words of advice I got from my predecessor if I ever had a doubt on how to vote was to... to watch two people. And one was Joel Brunsvold, and the other was Chuck Hartke. So, now I'm going to be lost with both of you gone. But, I

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certainly have enjoyed working with you, Chuck, and look forward to working with you in your new role. I know you'll do the state proud as head of the Department of Agriculture. And I look forward to working with you in that. Don't forget your friends when we get over this budget mess and you're setting up a trade mission or something. Don't forget your friends in the House. And to you and your family, I wish you nothing but the best. Thank you."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Rita."

Rita: "Thank you, Mr. Speaker. Director, I'd like to thank you for all the guidance that you've given me. You were my office mate. I'd like to say that I've had three office mates since I've been here, three secretaries. So, maybe now I can get a little stability down here now that you're gone. And you did extend, if I ever had any problems with the Department of Agriculture, that you would help me. So far I haven't had a call at the district office for that. But when I do, I will call you personally. But thank you for everything you've done for me."

Speaker Novak: "Mr. Hartke. House Rules... House Rules allow a former Member to speak in the well with leave of the Body. So, is there leave of the Body? Leave being granted, Mr. Hartke. For your comments. Shhh... shhh."

Hartke: "Well, thank you. Thank you very much. First, I want to thank my wife, Kathy, and my son, Chris, and my daughter, Kim, for sharing me with all of you. It's been a

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real trip, 18 years. Thank you. And I think we ought to remember that we don't say it enough, we don't say thanks to our spouses because we're all gone a lot. And I think we should say it many, many times, every... every weekend we get home, say thank you to our spouses. Second, I want to thank Governor Blagojevich for giving me the opportunity to... to continue to serve him and the State of Illinois in the capacity of the director. Third, I'd like to thank my late secretary, Marlene Probst, Julie Vahling, my secretary, Betsy, Sharon, Lynn Scaggs, and Sharon Wilson, who always got me where I was supposed to go in those 18 years. And I think that was... that was very important. I want to thank the issues staff. Now, you might think I'm repeating some names, but not really. And I've probably forgotten a whole lot of them. Pat Thieson and Jennifer Clint were my first staff people, and they were absolutely wonderful. And they set me on the right track here in Springfield. And all those between. From Aimee, to Jennifer, to Tony, to Amy, to Ronda, to Suzanne, to Susan, to Jill, Scott Selinger, Brenda, Beth, Mark, Chris, Russ, Sally, Angie, Tony, Polly, Joyce, Josh Wigger, Tammy, Judy, Joe Scotterman, Nora, Tim, Mike Kasper, Rob Uhe, Mark O'Brien, and many, many, many more. You know, we're down here everyday and... and we make a lot a friends. But we've got a lot of friends out there on the... on the rail, too. And from the first time I came down, and there were just hundreds and hundreds of lobbyists. And I think they're important to this process. But I want to mention just a

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couple who I think have been very, very helpful to me, and I want to say thank you. Bud Kelly, Bobby Myer, Bill Olson, Jeff Little... or, Jeff Whipple, and Jan Little, Rae Payne, Kevin Semlow, Bart Bittner, and the three Dicks. They know who they are, that's okay. I also want to thank, as we all should, our political counterparts and precinct committeemen and county chairmen, and I've had some very good ones. And I have a couple in the gallery today, who were with me from day one. And I want to say thank you to them and all the precinct committeemen and the hundred and five thousand, two hundred and forty-eight people that... that voted for me to get me here. And I hope I haven't let you down. I'd like to also thank Speaker Madigan. Speaker Madigan took me under his wing and had faith in me from day one. And he's always been there to support me. And I've always aspired to be what... what Phil is, and that's the temporary Speaker. But the two people who inspired me, and I... and I want to mention their names. Al Grieman, Julie Hamos' husband, and Jim McPike. I thought they were great leaders. And the next time you see them, why, tell them that they were good teachers for me. Speaker Madigan has been my guide, and I want to say that I can never thank him enough. You know, 18 years ago when I came down here, I was looking for someone to stay with to share an evening. And so I teamed up with a guy by the name of Terry Steczo. Terry Steczo's now a... an assistant to Jim Houlihan, the Cook County Assessor. And then when he left I needed somebody who... who I could team up with. And, so, I looked

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around for someone who was compatible to me. I was drinking heavily that evening and I chose Lou Lang. But anyway, as he said before, we've developed a friendship that allows us to talk over issues and be different... on different sides many, many times, but still remain friends. And that's happened. And with that I want to say that... thanks to all of you. Because I have friends on both sides of the aisle here. I'll miss Bill Black, and I'll miss Shirley Jones, and I'll miss a lot of you here everyday. And you'll see me walking the halls, lobbying you from a different perspective. And, Kevin, I've got some advice for you. Where's Kevin? Kevin, one of those unwritten rules is, never cross the Speaker and disagree with him. With that, I want to say thank you very much. Many friends have sponsored a party for me tonight at Remy's. And I wanna... I wanna see you all there tonight. Six o'clock or whenever you adjourn, 'til whenever. Thank you very much. It's been a trip. Thank you."

Speaker Novak: "We want Chuck. Mr. Lang. Mr. Lang."

Lang: "Thank you, Mr. Speaker. I would move that all Members of the House be named as cosponsors of this Resolution and move adoption."

Speaker Novak: "And the question is, 'Shall House Resolution 311 pass?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the House Resolution 311 is hereby adopted. The Chair is... the Chair is prepared to return... For what reason do you rise, Mr. Brauer?"

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Brauer: "I just want to repeat that number again. It's 785-4789."

Speaker Novak: "Thank you, Mr. Brauer. Mr. Lang."

Lang: "Yes, Mr. Speaker. As a reminder, the Gaming Committee will meet upon adjournment in Room 114."

Speaker Novak: "The Chair is prepared to return to the appropriation Bills on Third Reading. House... House Bill 3514. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3514, a Bill for an Act making appropriations to the State Comptroller. Third Reading of this House Bill."

Speaker Novak: "Ms. Davis."

Davis, M.: "House Bill 3514 is the Civil Service Commission and State Board of Elections. The fiscal year '04 budget requests for the Civil Service Commission is \$418,000. No change from the Governor's recommended level. The total fiscal budget request for the State Board of Elections is \$59,605,700. And with Amendment #1, they added 50 million... well, it's federal funds, \$50 million for the Vote America Act."

Speaker Novak: "Is there any discussion? On that question, the Gentleman from Cook, Mr... Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, again, I wanna remind everybody that we are now debating appropriation legislation that is very important to the people of the State of Illinois. I think it behooves you, if you have questions, to ask it of the Sponsors of this legislation to make sure you understand

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what is before you and make sure that we all are focused on the debate on the floor. Thank you."

Speaker Novak: "Is there any further discussion? Seeing none, the question is, 'Shall House Bill 3514 pass?' All those in favor 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 question, there are 71 voting 'yes', 46 voting 'no', 1 voting 'present'. And having received the required Constitutional Majority, House Bill 3514 is hereby declared passed. House Bill 3743. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3743, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Ms. Davis."

Davis, M.: "House Bill 3743 is the Governor and Lieutenant Governor's budget. For fiscal... the total for fiscal year '04 for the Governor is 8,653,000. GRF funds are 8,552,000. And other is 100,000. The total fiscal year '04 requests for the Lieutenant Governor is \$2,666,000... \$2,666,390. The GRF funds are 2,516,390. From other they'll be 115... 150,000. House Amendment #1 adds 220 thousand to the Governor's employee retirement line. House Amendment #1 adds 40 thousand to the Lieutenant Governor's employment retirement line."

Speaker Novak: "Is there any discussion? The Gentleman from Fayette, Mr. Stephens."

Stephens: "Will the Lady yield?"

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Speaker Novak: "The Lady will yield."

Stephens: "You mentioned the retired employees fund and you reinstated just the last, I believe, it was \$50 thousand?"

Davis, M.: "No. Are... are you thinking about..."

Stephens: "What... what did you say about..."

Davis, M.: "...the Governor and Lieutenant Governor's budget?"

Stephens: "Well, pick either one, there was..."

Davis, M.: "Well..."

Stephens: "...we have 11 thousand people that took advantage of the early retirement. I understand that some of those are in this budget."

Davis, M.: "This is just the Governor's Office and the Lieutenant Governor's Office. It is not for state retired employees."

Stephens: "There are no state employees in those offices?"

Davis, M.: "There may have been, but this budget does not reflect their retirement."

Stephens: "Excuse me. Did you say that there may have been, but the Governor or Lieutenant Governor don't know if any of those retirees are part of the dollars that you are saving us?"

Davis, M.: "House Amendment #1 is adding 220 thousand to the Governor's employee retirement line. Then there's a House Amendment 1 for the Lieutenant Governor, 40 thousand. We're adding those two. This was for a drafting error. It wasn't for... it was a drafting error and they... they asked us to do this to correct their error."

Stephens: "Did I hear you say that there was a drafting error?"

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Davis, M.: "Yes."

Stephens: "And so, that's... because of the drafting error you're putting back in about \$250,000?"

Davis, M.: "That's correct."

Stephens: "What does that fund do? Does it allow for people to be rehired or does it go for a mechanism to make sure that they took advantage of the retirement fund?"

Davis, M.: "What those dollars do is pay retirement into the system... it pays the retirement fee into the system from those two agencies."

Stephens: "All right. Let's get back to the 11... 11 thousand state employees that took advantage of the early out. Are there any in either of the budgets you're discussing at this point?"

Davis, M.: "This is... this is the '04 budget. The employees you're speaking of have been retired."

Stephens: "All right. But you have referred to, on more than one occasion, that this is not an increase to the Governor's proposed budget."

Davis, M.: "That's correct."

Stephens: "Is it or is it not?"

Davis, M.: "It is not."

Stephens: "So, the 11 thousand and... condingency... contingency dollars that would have to go with that are figured by your Governor to be in the fiscal '03 to get us through 'til June 30?"

Davis, M.: "Representative Stephens, those retirements took place in '03."

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Stephens: "That was my question."

Davis, M.: "All right. This Bill is for '04. Have any of 'em retired in '04? That's what we're talkin' about today."

Stephens: "How about I ask the questions while you're presenting the Bill. And what you're saying is, is that the dollars you mentioned are for fiscal '03, people who took advantage of the early retirement? Can you relate somehow a story or an anecdote about where those employees came from within those two departments? They... It was indicated by your... this budget, right? You're asking us to make that move and I'm simply asking you how many employees or positions were included."

Davis, M.: "You're asking... Representative, are you asking how many people took early retirement from the Governor and Lieutenant Governor's Offices?"

Stephens: "Well, that's one question I'd like to have an answer from, yes."

Davis, M.: "They did give us that information in committee and I do have it in a book how many people took early retirement from the Governor's Office, how many took it from the Lieutenant Governor, but I don't have it in the fiscal 0 year... '04 budget."

Stephens: "Well, we know that there's a number that we can attach to it though, don't we? At some point we oughta be able to figure out, in the..."

Davis, M.: "Well..."

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Stephens: "... '03 budget, how many employees work we had and... Well, can you tell me? In the '03 budget through the end of the year..."

Davis, M.: "I cannot..."

Stephens: "...will there be more people working or less?"

Davis, M.: "In the Governor's Office, there'll be fewer people working. I think the Lieutenant Governor, also. They didn't replace each employer... employer... employee who left. They did not replace each one. They gave us that report and it is available."

Stephens: "Can you tell me how many dollars that will mean to the taxpayers of the State of Illinois?"

Davis, M.: "I can't tell you because they earn different amounts of money."

Stephens: "Did the government... did the Governor send to you an appropriation that would at least tell us how many employees he wants in his agency and in his office?"

Davis, M.: "I didn't hear the end of your question?"

Stephens: "What I'm ask... asking is for a particular year, this being fiscal '03, can you compare those numbers with '04 so that we know in the Governor's Office, the Lieutenant Governor's Office or any cost associated with the retirement of those 11 thousand employees?"

Davis, M.: "Representative, we received from the Governor and from the Lieutenant Governor their fiscal year '04 request. You're asking if it is reflected in their '04 budget the fact that some employees took early retirement."

Stephens: "No, that's not what I'm asking."

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Davis, M.: "Oh, well, I'm sorry. I don't understand your question."

Stephens: "What I'm asking and you helped me answer it early, if there are \$250 thousand or so contingent expenses because of people who took the early retirement. I would like to know, are the taxpayers of Illinois going to have more people working or are they gonna have 11 thousand left... that have left, excuse me."

Davis, M.: "I don't think they're gonna have 11 thousand left, but those two House Amendments that I added were House Amendments that we were asked to put on by those agencies because they had made an error in their... in that particular line. One had made an error of 220 thousand in the line for retirement and the other one had made an error of 40 thousand in that line. So, those Amendments corrected the error from the request for their fiscal year '04 budget."

Stephens: "All right. They... they made a, what's commonly called, a mistake. We all appreciate that mistakes can happen even in this... even in this Body. And I guess, one more time, I'm just trying to get out... When I look at the Governor's '03 budget, understanding that that was a com... a combination of Governors, we had one Republican for nine months and one Democrat for three months, if I have my numbers right. Are the taxpayers of Illinois going to spend more dollars or less?"

Davis, M.: "They would spend less for these two agencies."

Stephens: "Compared to what the proposed Governor's budget was or actual?"

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Davis, M.: "They're both taking a cut from last year's budget. Both the Governor's Office and the Lieutenant Governor's Office are both taking a cut at the Governor's request."

Stephens: "And where is the two percent that the Governor's talked so much about?"

Davis, M.: "The cut is actually 15 percent in operations. You want me to go through 'em with you?"

Stephens: "I'll... I'll take you on your word to that 15 percent. Fifteen percent in both agencies?"

Davis, M.: "Yes. The total..."

Stephens: "How about the head count?"

Davis, M.: "Pardon? The Governor..."

Stephens: "I'm asking you..."

Davis, M.: "...the Governor was attempting to show a standard to the other agencies that they should show fiscal responsibility, tighten their belts..."

Stephens: "Okay. I'll let you get away with that."

Davis, M.: "...and reduce their budget."

Stephens: "That's fine. Maybe it would help us if you would come down here and discuss it with us. You just mentioned the 15 percent in each agency, the Governor and the..."

Davis, M.: "No, no, no."

Stephens: "...Lieutenant Governor."

Davis, M.: "I did not say 15 percent in each agency. I didn't say that. I said the Governor's Office and the Lieutenant Governor's Office each took a 15 percent reduction in their budget for fiscal year '03 to fiscal year '04."

Stephens: "Was that in pers..."

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Davis, M.: "For example..."

Stephens: "...was that in person..."

Davis, M.: "...for example..."

Stephens: "Excuse me, now... Excuse me. Was that in personnel?"

Davis, M.: "That's what I'm gonna tell ya. Personal services in fiscal year '03 was \$6,814,400; fiscal year '04 is 5,900... I'm sorry, \$5,494,000."

Stephens: "Was that personnel?"

Davis, M.: "That was personal services."

Stephens: "That's... Would that ever include contractual agreements?"

Davis, M.: "Contractual services went from 852 thousand down to 730 thousand."

Stephens: "Any of those contracts for personnel?"

Davis, M.: "Those were personal service contracts, all of them contractual, all of 'em."

Stephens: "Rutan... So, all of these positions are they Rutan exempt?"

Davis, M.: "Are they what?"

Stephens: "Are they Rutan exempt?"

Davis, M.: "Some kind of exempt?"

Stephens: "Rutan... I know you know what Rutan is."

Davis, M.: "Some of them would be. Some would be and some would not."

Stephens: "Can you give me one example?"

Davis, M.: "Why?"

Stephens: "Because I'd like to know."

Davis, M.: "Ask your staff. I don't know."

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Stephens: "For instance, the Governor's secretary. I would... I would hope that I'd... that's a Rutan exempt position, of course."

Davis, M.: "The Governor's secretary would be Rutan exempt."

Stephens: "Of course. Are there any other examples that you can give me?"

Davis, M.: "The director of..."

Stephens: "We're only talkin' about 15 million, I know, but pretty soon we're gonna be up in the billions."

Davis, M.: "The Director of Legislative Affairs would be Rutan exempt."

Stephens: "Excuse me?"

Davis, M.: "The Director of Legislative Affairs."

Stephens: "Rutan exempt?"

Davis, M.: "Yes. You want another one?"

Stephens: "Yeah, one more. Go for it."

Davis, M.: "The House Liaison."

Stephens: "What are you... what... Would that be Joe?"

Davis, M.: "Whoever the House Liaison is. They kinda changed it."

Stephens: "Well, I hope it's Joe Hanley. Is it not?"

Davis, M.: "Joe Hanley is Director of Legislative Affairs."

Stephens: "That's wha... that's what we're lookin' at. Okay. Well, he's a good man. I want you to keep him because he deals honestly, straightforward and that's the kind of dealing we're used to on your side of the aisle and we look forward to a continued discussion about the appropriations process and whether we're talking about real cuts or just

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part cuts on paper. Thank you, Representative. I appreciate it..."

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

Stephens: "Thank you."

Davis, M.: "You're more than welcome, Representative Stephens. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Parke."

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

Speaker Novak: "Sponsor'll yield."

Parke: "Representative, what was the cut in the overall appropriations for the Governor's budget over last year?"

Davis, M.: "The total cut was 1,820..."

Parke: "Percentage... percentage, please."

Davis, M.: "Excuse me?"

Parke: "I don't know how to relate. The percentage, please."

Davis, M.: "I don't have a calculator here. I don't have a calculator. You figure it out. Let me tell ya, oh..."

Parke: "All right. Let me tell ya then. It was two percent."

Davis, M.: "It was 15 percent. No, no. It's 15 percent."

Parke: "No, it wasn't. I said overall appropriation. It was two percent."

Davis, M.: "It's \$1,822,800."

Parke: "And I said it's two percent. Would you ask the staff, if you don't have a calculator, staff would know that kind of information."

Davis, M.: "Are you speaking of the Governor's budget or the whole budget?"

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Parke: "Of the appropriation for the Governor's... yes and what we're doing."

Davis, M.: "For the Governor... excuse me, for the Governor's Office, it's 15 percent."

Parke: "Okay. Based on your estimated expenditures, it is our staff's opinion that it is three percent cut. Would your staff concur?"

Davis, M.: "From... excuse me, from fiscal year '03 approp to '04 approp, it's 15 percent. The estimated expenditures may have been reduced or down because..."

Parke: "To the Bill."

Davis, M.: "...beca..."

Parke: "Ladies and Gentlemen..."

Speaker Novak: "To the Bill."

Parke: "...it's difficult sometimes to get the kind of answers that you're looking for. It is our estimation that the Governor and his overall appropriations for him to operate his office is presenting a budget that is three percent less than he... than he... the last Governor's appropriation to run the office. Three percent... the Governor has consistently asked people to take a two percent cut. As far as I'm concerned, that part of the budget seems reasonable, that the Governor has shown a willingness to reflect the downturn in the economy and the lack of revenue coming in. So, three percent sounds like a reasonable cut that the Governor has made to his own budget. However, Lieutenant Governor's budget is one percent and that is not acceptable. Lieutenant Governor has... has a budget that

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should be at least two percent and it is our understanding from our staff that his is approximately one percent. When every other agency's been asked and the Lieutenant Governor's budget doesn't reflect that. So, that we are disappointed on and I'm sure the taxpayers of this state should be disappointed, also. So, you need to determine whether or not that would be a reason to support this appropriation Bill."

Speaker Novak: "Further discussion? The Gentleman from Winnebago, Mr. Winters. Out of the record. Any further discussion? Mr. Winters. The Gentleman from McHenry, Mr. Franks."

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

Speaker Novak: "Sponsor yields."

Franks: "I was just listening to the debate and the last speaker indicated that the Lieutenant Governor's cut was only one percent. Now, our analysis here indicates it's a 16.4 percent cut into approp. And I just want to know what numbers everybody's lookin' at because these seem to be very different. Can you tell me from the... from our... the numbers that we're... we're dealing with..."

Davis, M.: "My..."

Franks: "...what is the cut in the Lieutenant Governor's budget this year in percentage wise?"

Davis, M.: "My understanding is Governor Blagojevich and the Lieutenant Governor immediately made cuts upon taking office. But from fiscal year '03 to fiscal year '04 that

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total is 15 percent, from '03 fiscal to '04 fiscal it's 15 percent."

Franks: "For both?"

Davis, M.: "Yes."

Franks: "Or is it... Could we break it down? What's the cut in the Governor's Office and what is the cut in the Lieutenant Governor's Office?"

Davis, M.: "The Governor's budget was reduced from 10,474,800 to 8,652,000. The Lieu..."

Franks: "And what percentage cut is that, Representative, if you know?"

Davis, M.: "That's a 15 percent cut."

Franks: "That's 15 percent. Okay."

Davis, M.: "And the Lieutenant Governor's budget was from 3,140,700 to 2,666,390 for a difference of 474,310 which is also a 15 percent cut."

Franks: "So, then..."

Davis, M.: "It's approximate."

Franks: "So, the real cuts are 15 percent in both the Governor's and the Lieutenant Governor's budget from 2003 to 2004."

Davis, M.: "That's correct."

Franks: "Thank you."

Davis, M.: "From approp to approp."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3743 pass?' All those in favor vote 'aye'; all those 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 question, there 84 voting 'yes', 34 voting 'no', 0 voting 'present'. Having received the required Constitutional Majority, House Bill 3743 is hereby declared passed. House Bill 37... 3744, the Lady from Cook, Representative Feigenholtz. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3744, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. This is... the budget for the Guardian Advocacy Commission. The total FY04 budget recommendation for this was 8... 8,599,500, 800... 8,406,300 is General Revenue. A hundred and ninety-three thousand are other state funds. And this budget was not changed from the Governor's proposed levels."

Speaker Novak: "Is there any discussion? The question... The Lady from Cook, Ms. Mulligan."

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative, before I go to asking you some... a few questions on this budget, I just want to preface my remarks with saying that although we have no choice but to vote on these budge... on these appropriation Bills that are going out, I feel it's very difficult for Members to make an adequate decision on how to vote because we don't know what the revenue stream's gonna be yet. And we also don't know if we're going to get a minimum wage vote which would change what we're going to do with providers or the ability

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to... for everybody to unionize. So, that being said, I guess we need to go ahead and talk about these budget Bills and just talk to you a little bit about guardianship and advocacy. Overall, this budget was cut, correct?"

Feigenholtz: "1.4 percent."

Mulligan: "And it was also cut last year."

Feigenholtz: "Yes, it was."

Mulligan: "So, it was cut three percent this year and cut another 1.3 or you have 1.1, I have 1.3 to..."

Feigenholtz: "I have 1.4."

Mulligan: "...this year. Also, there is some discussion about this agency being combined with another."

Feigenholtz: "I'm sorry, Representative. I cannot hear what you're asking me. Can we have some..."

Mulligan: "There is some discussion about this agency being rolled into another."

Feigenholtz: "No, there's actually just some discussion about sharing some services, Representative Mulligan. It's not folding it into another agency."

Mulligan: "All right. And is it not true also that they were asked to give the Governor a list of all the positions of the lawyers, their status and the salaries without asking whether they were good attorneys and did their job well?"

Feigenholtz: "They did testify to that in committee, yes."

Mulligan: "All right. And did they also testify that they felt their budget was adequate for the year that they could by with it?"

Feigenholtz: "They were okay with it, yes."

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Mulligan: "All right. And just so the people who... that are voting on this budget know that the Guardianship and Advocacy Commission serves as guardian of last resort for adults with disabilities providing legal and money management services."

Feigenholtz: "Yes."

Mulligan: "And they're court ordered to do so."

Feigenholtz: "Correct."

Mulligan: "Thank you."

Speaker Novak: "Further discussion? Representative Bellock. You had your light on, Ma'am."

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

Speaker Novak: "Sponsor yields."

Bellock: "I'd like to ask if all the cuts to mental health have been restored in this budget?"

Feigenholtz: "Representative Bellock, there are no restorations in the guardian and advocacy budget..."

Bellock: "Oh, I'm sorry."

Feigenholtz: "...for mental health. I'll see you on that budget..."

Bellock: "Okay. Thank you."

Feigenholtz: "...in a few minutes."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3744 pass?' All those in favor 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

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question, there are 90 voting 'yes', 28 voting 'no', 0 voting 'present'. And having received the required Constitutional Majority, House Bill 3744 is hereby declared passed. House Bill 3745, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3745, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Ms. Davis."

Davis, M.: "House Bill 3745 is the budget for the Historical Preservation Agency. The total appropriation is \$22,667,500. The total GRF Funds is \$13,835,900. Tot... all other funds are 8... or all funds, I should say, are \$8,831,600. And all of this represents no change from the Governor's plan."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall House Bill 3745 pass?' All those in favor 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 question, there are 81 voting 'yes', 35 voting 'no', 2 voting 'present'. And having received the required Constitutional Majority, House Bill 3745 is hereby declared passed. House Bill 3746, the Lady from Cook, Representative Feigenholtz. Mr. Clerk, read the Bill, please."

Clerk Bolin: "House Bill 3746, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Ms. Feigenholtz."

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Feigenholtz: "Thank you, Mr. Speaker. House Bill 3746 is the budget for the Human Rights Commission. The total '04 budget recommendation is 1,390,000 from the General Revenue Fund. We did not make any changes to this budget from the Governor's recommended levels. I'd be glad to answer any question."

Speaker Novak: "Is there any discussion? On this question, the Lady from Cook, Ms. Mulligan."

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative, on the Human Rights Commission, isn't it right that the Human Rights Commission investigates claims of unlawful discrimination brought under the Illinois Human Rights Act?"

Feigenholtz: "That is correct, Representative."

Mulligan: "Is it also correct that they cut their budget five percent? Is it 2.3 or 5?"

Feigenholtz: "I'm not certain of that. I'm checking on it right now, Representative."

Speaker Novak: "Ms. Feigenholtz."

Feigenholtz: "It's a... it's a 4.2 percent change."

Mulligan: "Increase?"

Feigenholtz: "Reduction."

Mulligan: "Reduction. I have three different figures here and I'm trying to figure out what it is, so... You think it's a 4.2 reduction?"

Feigenholtz: "I believe that's what our analysis reflects."

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Mulligan: "I have minus 2.3 in one, minus 5 somewhere else and plus 2.4 somewhere."

Feigenholtz: "Was that a que... I'm sorry, Representative. Mr. Speaker, can you try and make it a little quieter in here?"

Speaker Novak: "Shhh."

Feigenholtz: "Thank you."

Mulligan: "Representative, I have their FY03 budget as \$1.359 million and I have FY04 proposed as 1,390,000, which is an increase."

Feigenholtz: "We're going approp to approp, not estimated expenditures. So, that first number that you mentioned, 1,359,000 was the '03 estimated expenditure and the request was 1,390,900, which is... I'm looking at this reduction and it says a minus 4.5 percent reduction."

Mulligan: "Is this a very small agency?"

Feigenholtz: "Yes."

Mulligan: "And they handle discrimination complaints?"

Feigenholtz: "Correct."

Mulligan: "All right. So, I guess it's up to the Members to decide how they want to handle a vote on this budget. The problems we're having, as you and I agree, are the problems we had in committee. The Governor's introduced budget and what the agencies then gave us thereafter, did not always match."

Feigenholtz: "Ahhh..."

Mulligan: "You're shaking your head, but you don't wanna answer yes. But... we know that 'yes' is the right answer around to this."

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Feigenholtz: "We're working on it with the Governor's Office."

Mulligan: "Yeah, we'll probably be working on it for quite a while. Ummm... Thank you."

Speaker Novak: "Thank you. Further discussion? Seeing none, the question is, 'Shall House Bill 3746 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Millner. Mr. Clerk, take the record. On this question, there are 88 voting 'yes', 30 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 3946 is declared passed. House... Excuse me. House Bill 3746 is declared passed. House Bill 3747, Representative Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3747, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Davis."

Davis, M.: "House Bill 3747 is the Illinois Commerce Commission budget. The Illinois Commerce Commission will receive \$408,200 in GRF funds and \$49,707,800 in other state funding for a total of 50,116,000 in appropriations. The Illinois Commerce Commission's appropriation is not changed from the Governor's proposal."

Speaker Novak: "Is there any discussion? The Gentleman from DuPage, Mr. Biggins."

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

Speaker Novak: "Sponsor will yield."

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Biggins: "Representative, the Commerce Commission budget, does it reflect any decrease in spending that now is not necessary from the fact they don't have to regulate the SBC rates?"

Davis, M.: "But they do... they do regulate the SBC. They do."

Biggins: "Well, is there a whole level of spending increased for the year compared to '03 or has it decreased? Would you tell everybody at the same time? I can read your lips, but I'm worried about the people in the back."

Davis, M.: "I'm sorry. I can't really hear you. What was your question, Representative Biggins?"

Biggins: "Does the budget for the Commerce Commission go up or down from last year, current year?"

Davis, M.: "It must be down because it's the Governor's proposed budget."

Biggins: "So, do you... what percentage then has decreased downward? Do you have that figure available?"

Davis, M.: "It's a 2.4 percent decrease."

Biggins: "Thank you. And how about the headcount situation at the fine commission. Is there any report on that?"

Davis, M.: "The number of employees has certainly decreased, Representative Biggins. In '02, they had 338; in '03, they had 348 and the estimation for '04 is 296."

Biggins: "Now, I know this is not your... the workings of the Commerce Commission are not your responsibility and we certainly understand that, but since they don't have to deal with the rate increases for awhile, just from November, I think they were gonna do something. Wouldn't

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there be a decrease in somehow of the overall costs of... in addition to the two percent, of course? Doesn't that seem logical to you? All of that heavy lifting's out of the way for the Commerce Commission, now."

Davis, M.: "Are you... are you stating that their workload would decrease?"

Biggins: "Well, it would seem so. I would think so. All those hard numbers and punching in..."

Davis, M.: "Well..."

Biggins: "...and calculating, you know."

Davis, M.: "Representative, they still have a number of responsibilities and the one you mentioned was only one of them, but they..."

Biggins: "That's correct."

Davis, M.: "...have a number of responsibilities."

Biggins: "That's correct. I understand that. Well, thank you, Madam Chair, for the answers and I have no further questions."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill... excuse me. Mr. Black, the Gentleman from Vermilion."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Novak: "Yes, Sir."

Black: "Under House Rules, I really can't remember and the... my House Rule Book is back in my office. Are... are appropriation Bills subject to the Standard Debate clause and how much time and all of that?"

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Speaker Novak: "I believe they are."

Black: "I thought they were. It's been so long since we've actually discussed an appropriation Bill, I couldn't remember. But I... I'll defer to your... your judgment. You're in the Chair. I would like to ask the Sponsor one question, if I could."

Speaker Novak: "Yes, Sir. She will yield."

Black: "Yeah. Representative, there... I have one serious concern and I'm having a hard time tracking it and I just want to know between you and staff. One of the things that's very important to downstate Legislators and actually, it's not a regional issue, it's important to the Chicago area as well. The track... the railroad signal crossing protection fund accumulates a great deal of money over a few years and then is used to signalize railroad crossings. It's my understanding that there is an attempt to take several million dollars out of that fund and use it for other purposes. And I'm just trying to find out, I'm pretty sure it's underway, I just don't know where it is."

Davis, M.: "That Bill was in the IDOT budget and the Amendment failed in committee."

Black: "It failed, okay. So... so, there is no... because appropriation Bills are kinda bare bones on our system there is no transfer in the FY04 budget from the Commerce Commission Railroad Crossing Improvement Fund to any other purpose, as far as you know?"

Davis, M.: "As far as I know..."

Black: "Okay. Fine."

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Davis, M.: "...Representative, no."

Black: "Thank you very much."

Davis, M.: "You're welcome."

Speaker Novak: "Thank you, Mr. Black. Mr. Morrow, for what reason do you rise? Okay. Any further discussion? Seeing none, the question is, 'Shall House Bill 3747 pass?' All those in favor 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 question, there are 79 voting 'yes', 38 voting 'no', 1 voting 'present'. Having reached the required Constitutional Majority, House Bill 3747 is hereby declared passed. House Bill 3748, the Lady from Cook, Representative Feigenholtz. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3748, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3748 is the Illinois Council on Developmental Disabilities budget. The total FY04 budget recommendation of \$4,196,400 is federal funding. And this recommends... this budget has no change. I'd be glad to answer any questions."

Speaker Novak: "Is there any discussion? The Lady from Cook, Ms. Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Feigenholtz, this is the budget of the Illinois Council on Developmental Disabilities which is a federal pass through, correct?"

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Feigenholtz: "Yes."

Mulligan: "So, there is no GRF here. There is no change..."

Feigenholtz: "No."

Mulligan: "...except that the federal funds did go up from..."

Feigenholtz: "Correct."

Mulligan: "...last year."

Feigenholtz: "Correct."

Mulligan: "And so, this represents no... nothing on our budget at all..."

Feigenholtz: "Not at all."

Mulligan: "...except for the money comes into the state, we're required to put into our budget and then pass it back out again."

Feigenholtz: "Correct."

Mulligan: "Thank you."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3040... 3748 pass?' All those in favor 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 question, there 106 voting 'yes', 9 voting 'no', 3 voting 'present'. And having reached the required Constitutional Majority, House Bill 3748 is hereby declared passed. House Bill 3751, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3751, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Davis."

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Davis, M.: "House Bill 3751 is the Illinois Labor Relations Board appropriation. They're asking for or here we're appropriating \$2,910,900 in General Revenue Fund. This is no change from the Governor's recommended level."

Speaker Novak: "Is there any discussion? On that question, the Gentleman from DuPage, Mr. Biggins."

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

Speaker Novak: "The Sponsor will yield, Sir."

Biggins: "Now, Representative, isn't this one of the boards that's gonna be combined under, I think, it's House Bill 3511, merged with other boards?"

Davis, M.: "Yes."

Biggins: "And do you know the status of House Bill... though if I could find my computer, but we haven't passed that Bill yet, right?"

Davis, M.: "It's on Second Reading."

Biggins: "Okay. And do you know how many... does this change the number of the members of the Labor Relations Board, that would certainly affect its funding level if it did. I know... I know that you're not on the board itself."

Davis, M.: "It does change the number. It eliminates two state panel members and it eliminates salaries. It takes salaries away from Labor Relations Board members."

Biggins: "Now, the new board... I guess they made a statement that they don't think they'll be able to operate with this level of funding, should this Bill pass. Well, ya know I guess, to me it's like, well, ya gotta operate with what ya

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got, right? And the Governor's proposed something that I think is reasonable, here."

Davis, M.: "Well, I think if the Governor wanted to take out the funding for salaries, we're supporting him in that. And if he also wanted to reduce the number, we're supporting him with that."

Biggins: "And I think that there... Was there any opposition... do you recall any opposition in committee from any of the labor groups that might not like this particular appropriation?"

Davis, M.: "We didn't receive any... any slips against this."

Biggins: "From... Okay. Fine. Thank you."

Davis, M.: "You're welcome."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3751 pass?' All those in favor 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 question, there are 74 voting 'yes', 41 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, House Bill 3751 is hereby declared passed. House Bill 3753, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill, please."

Clerk Bolin: "House Bill 3753, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Ms. Davis."

Davis, M.: "House Bill 3753 is the General Assembly Auditor General and Legislative Support Services budgets. The

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total for fiscal year '04 request for the General Assembly is \$48,925,700. GRF dollars, \$48,425,700. We have other 500,000. And this represents no change from Governor Blagojevich's recommended level."

Speaker Novak: "Is there any discussion? On this... on this question, Mr. Biggins, from DuPage."

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

Speaker Novak: "Sponsor yields."

Biggins: "Now, on this particular combination of agencies, the Auditor General is a constitutional officer..."

Davis, M.: "Mmm mmm."

Biggins: "...an office by itself. Why would that be combined with other offices?"

Davis, M.: "The budget is not reg... I hadn't finished. The total fiscal year budget request for the Auditor General is \$20,092,515. And then the total fiscal year '04 request for Legislative Support Services is \$21,486,050."

Biggins: "Yeah, on my..."

Davis, M.: "So, it is... it's three separate budgets."

Biggins: "So, the Auditor General's budget is considered separate?"

Davis, M.: "Yes, it is."

Biggins: "Wouldn't it have been by itself? No, or... John, no?"

Davis, M.: "We didn't have enough Bills, so we combined those three into the same Bill."

Biggins: "Is the..."

Davis, M.: "These are legislative constitutional officers."

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Biggins: "Is the Space Needs Commission included in this particular grouping?"

Davis, M.: "Yes."

Biggins: "And does their inc... their... seems to be a 15 percent increase in their budget? Does that mean we need more space or what does that mean?"

Davis, M.: "It's a flat expenditure from approp to approp."

Biggins: "But it's higher this year than last, no? No."

Davis, M.: "No, it is not."

Biggins: "Does... Who determines how much space the Space Needs Commission needs? If they do it themselves, it might be a conflict of interest."

Davis, M.: "Probably the Joint Committee makes that decision."

Biggins: "Ahh. The JCAR. Well, good. Thank you. I have no further questions."

Davis, M.: "Thank you."

Speaker Novak: "Any further discussion? The Lady from Cook, Representative Mulligan."

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

Davis, M.: "Yes."

Speaker Novak: "Yield."

Mulligan: "I notice on our detail of this budget that the Speaker and the Minority Leader's staff and operations are the same, but when it comes to Leadership staff, the Speaker's Office has twice the budget that the Minority Leadership staff does. Is there a particular reason for that?"

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Davis, M.: "It's always been that way. Last year's budget was... budget was that way."

Mulligan: "The winner goes the spoils. Is that the object or is it a better... Is there a reason? Is it bigger or does it cover something more than what..."

Davis, M.: "I... I think... I think we were taking... I think we did what you guys always did, so we just copied after you. We split it in half."

Mulligan: "I... I'm sorry. I don't..."

Davis, M.: "We... we just split it in half."

Mulligan: "Well, in the budget it says that for the Speaker and the Leadership staff is 326,300. For the Minority Leadership staff it's 148,000. No, this just says House of Representatives on our detail."

Davis, M.: "Are you saying between your side and this side?"

Mulligan: "Right."

Davis, M.: "We're looking for the line. Representative, it is exactly as last year. It's divided the exact same way that it was divided last year."

Mulligan: "It's probably your salary, John. I hope for you, ya know. Good luck. I'm just really interested. I mean, it's quite a significant difference in the operating and although, we both provide staff that analyzes Bills and does the people's work. So, I'm just curious as to the discrepancy."

Davis, M.: "Representative, I think it's only one line that's different."

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Mulligan: "I thought maybe it had something to do with equipment or anything else and I... Well, at some point in my legislative life's eleventh year I first noticed that that would be interesting to get the answer to that."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, under the item Senate Operations Commission appropriating a hundred and three thousand dollars for the construction and moving costs of Senate offices. Now, that occurred in FY03, but it's my understanding it's gonna be paid in FY04?"

Davis, M.: "We entered the exact same budget from last year. The numbers are not changed. The movement of the lines are not changed. It's exactly the same."

Black: "You mean, they... they got all of the offices moved and the computer wires moved and all of the offices changed in the Senate that they did right after the election and all of that was done for a hundred and three thousand dollars?"

Davis, M.: "That's what the line called for and that's what we have in for this time for '04."

Black: "Okay. All right. Thank you."

Speaker Novak: "Further discussion? Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Just a question, if I may."

Speaker Novak: "Sponsor'll yield."

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Bassi: "Thank you. I'm just curious as to how it could be that, as I'm looking at this, the Senate is appropriated \$4,700,900 for Legislative Leadership and Legislative staff. The Speaker of the House gets \$4,200,600 for staff and office operations. It appears as if the Senate gets more money for their operating expenses. They're half the size that we are and I'm just curious as to why."

Davis, M.: "Representative Bassi, this is the same budget, same numbers, same distribution as fiscal year '03."

Bassi: "That's... that's on my..."

Davis, M.: "It has always... we didn't change, we didn't judge anything, we didn't make any changes in this particular budget."

Bassi: "No... but my question is, do... have they always gotten more money than the House has to run their operation?"

Davis, M.: "Probably because your President 'Pate' Philip probably requested more money for the Senate operations."

Bassi: "You don't think it was Phil Rock? You don't think it was Phil Rock?"

Davis, M.: "I think it was 'Pate'."

Bassi: "Oh, okay. I... I'm just curious because I was..."

Davis, M.: "I know."

Bassi: "...looking at the numbers and I..."

Davis, M.: "Well, we... we didn't change it."

Bassi: "Okay. Thank you."

Davis, M.: "You're welcome."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3753 pass?' All those in favor vote

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'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. Fritchey. Ms. Flowers. Mr. Clerk, take the record. On this question, there are 78 voting 'yes', 39 voting 'no', 1 voting 'present'. And having received the required Constitutional Majority, House Bill 3753 is hereby declared passed. House Bill 3754, the Lady from Cook, Representative Feigenholtz. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3754, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3754 is the Medical District Commission budget. The budget request is \$4,000,560... \$629. Five hundred thousand of that is General Revenue. Other state funds 4,060,629. This represents no change in the Governor's recommended level."

Speaker Novak: "Is there any discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative Feigenholtz, just so some of the Members know that the Illinois Medical District Commission is in charge of economic development, urban planning, and biotech commercialization of a 506 acre Illinois Medical Center District which includes the University of Illinois Health Services, Chicago Technology Park, City of Chicago Center for Disease Control, Cook County Hospital and Health

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Services, Rush Presbyta... Rush Presbyterian, St. Luke's Medical Center, State of Illinois Human Services, DMH, DORS, BPH and DCFS and the VI (sic-VA) Westside Medical Center and 40 other health care medical research and medical education institutions. And that also, they cut their budget this year?"

Feigenholtz: "\$618,000."

Mulligan: "And the reason for this is they're weaning themselves off state budget that they will... they claim they will be self-sufficient?"

Feigenholtz: "I... Can you repeat the question."

Mulligan: "They claim they are going to be self-sufficient within the next year or two?"

Feigenholtz: "Correct."

Mulligan: "And that..."

Feigenholtz: "Correct, correct."

Mulligan: "...they are one of the largest medical incubators in the country and the State of Illinois... medical biotech medical incubators for new businesses in the biotech area in the country?"

Feigenholtz: "That is correct."

Mulligan: "And that they graduate companies off of... off of this campus into other facilities that actually generate lots of funds?"

Feigenholtz: "That's correct."

Mulligan: "And that they have cut two positions off their board of directors this year?"

Feigenholtz: "Correct."

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Mulligan: "Thank you."

Speaker Novak: "Further discussion? Seeing none, the question... excuse me. The Lady from Peoria, Ms. Slone."

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

Speaker Novak: "Sponsor yields."

Slone: "Representative Feigenholtz, do you know if there are... is there just the one medical district in the state? Does it... do they exist anywhere else in Illinois?"

Feigenholtz: "They're proposing to create and expand a medical district in Springfield, but this... this budget is just for the Chicago Medical District."

Slone: "Thank you."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3754 pass?' All those in favor 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. Fritchey. Mr. Clerk, take the record. On this question, there are 86 voting 'yes', 30 voting 'no', 2 voting 'present'. Having received the required Constitutional Majority, House Bill 3754 is hereby declared passed. House Bill 3759, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3759, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Davis."

Davis, M.: "House Bill 3759 is the Retirement System. The budget for each of the five retirement systems is unchanged from the Governor's recommended level. The General

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Assembly Retirement System fiscal '04 budget recommendation are 33,815,000. This total represents a combination of 5,490,000 GRF funds, 28,324,000 from the State Pension Fund. And this represents no change from the Governor's recommended level. In the Retirement System, we have the Judges' Retirement System. The total fiscal year '04 budget request of \$36,526,000. This total represents a combination of \$35,032,000 from GRF, 144,760,000 from the State Pension Fund. It represents no change from the Governor's recommended level. The State Employees Retirement System, the total fiscal year '04 request of \$1,435,846,000. This represents a request of 121,100 from GRF and 1,435,725,000. This also represents no change from the Governor's recommended level. State Universities Retirement System, the total fiscal year '04 budget request of 1,780,020,000. It includes 46,080,000 from the General Revenue Fund and 1,468,280,000 from the State Pension Fund. This represents no change from the Governor's recommended level. The Teacher's Retirement System, the total fiscal year '04 budget request of 1,097,261,000. This total represents a request of 129,901,000 from GRF and 967..."

Speaker Novak: "Is there any discussion?"

Davis, M.: "...900... All right, yes."

Speaker Novak: "Excuse me. I'm sorry."

Davis, M.: "Mmm. Mmm."

Speaker Novak: "Go... proceed."

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Davis, M.: "I was just gonna say 967,360,000 in other state funds and it... this is just what the Governor ref... recommended. That's all."

Speaker Novak: "Thank you, Representative Davis. Is there any discussion? The Gentleman from DuPage, Mr. Biggins."

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

Speaker Novak: "Sponsor yields."

Biggins: "Does the Governor's bonding program affect any of these pensions systems or the moneys in them?"

Davis, M.: "Can't..."

Biggins: "Does the Governor's bond proposal affect any of these pension systems?"

Davis, M.: "It will, yes."

Biggins: "Do you know when that will occur? After he issues the bonds, I presume. But..."

Davis, M.: "Around the first of June, they'll do their first bond sale."

Biggins: "Okay. Do you know how much that... Has he announced yet how much would be in that particular sale?"

Davis, M.: "We... I'm not sure. I don't know if he's announced that yet. We don't know what that amount will be."

Biggins: "Do we think we're placing any of these pension funds in any kind of danger or any of these recipients in any kind of risk of not receiving what they're entitled to and what we owe them and are obligated to them?"

Davis, M.: "No. That will not happen."

Biggins: "Okay. Thank you."

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Speaker Novak: "Is there any further discussion? Seeing none... excuse me. The Lady from Cook, Representative Mulligan."

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative, was there an increase in \$70 million in this budget because of the employees that retired, took early retirement?"

Davis, M.: "Representative, those retirement... early retirement should have been paid in the '03 budget, not '04."

Mulligan: "How can they when some of them aren't occurring until now?"

Davis, M.: "The payout..."

Mulligan: "But isn't there a \$70 million line item that covers those retirees?"

Davis, M.: "There is an increase because they will pay out some of them in '04, yes."

Mulligan: "All right. So, many of the cost economies that come in this new Governor's budget come from the fact that under the FY03 budget Governor Ryan proposed and we accepted that they offer early retirement to any number of employees and then approximately when we thought maybe eight thousand employees would take, we have... early retirement, we have approximately 11 thousand employees?"

Davis, M.: "That's correct."

Mulligan: "All right. So, the cost economies that were discussed in the budget address that the Governor gave and it will happen over this year certainly are impacted greatly by what we offered last year for early retirement

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and that any positions that are subsequently filled take away those cost savings?"

Davis, M.: "Yes."

Mulligan: "I just wanted that on the record. Thank you very much."

Speaker Novak: "Is there any further discussion? Seeing none, the question is, 'Shall House Bill 3759 pass?' All those in favor 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 question, there are 103 voting 'yes', 13 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, House Bill 3759 is hereby declared passed. House Bill 3766, the Lady from Cook, Representative Feigenholtz. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3766, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Ms. Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3766 is the Department of Public Aid budget for FY04. The recommendation is 9,840,277,800 of which 5,670,384,000 is General Revenue and 4,169,897,400 is other state funds. This is... In this budget, we've reduced the long-term care line by \$13 million. Most of this money was transferred to the DHS budget to the MH CILA line and a new mentally ill supportive housing line. The overall Governor's recommendation was 9,853,277,800; 5,683,380,400 GRF and

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4,169,897,400 are other state funds. I'd be glad to answer any questions."

Speaker Novak: "Thank you. Is there any discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative Mulligan (sic-Feigenholtz), this... this particular budget was amended from the Governor's proposed budget, correct?"

Feigenholtz: "Yes. I just described the changes that we made. It was the \$13 million that we had discussed in committee, Representative."

Mulligan: "And that's also to be able to access federal... by increasing federal funds..."

Feigenholtz: "Correct."

Mulligan: "...for that line item?"

Feigenholtz: "Right."

Mulligan: "Isn't it true that a significant cost increase in the Department of Public Aid has come through prescription drugs that we provide?"

Feigenholtz: "Sure."

Mulligan: "All right. And wasn't it asked of in committee of the director... I... the new director was there, although he was quite new the day that he came to committee, that the Governor's line items of these budgets include a hundred and twenty million dollar cost-savings generated by the Governor's spuc... special drug advocate at the Department of Central Management Services; however, the department has

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not been able to explain how these savings will be realized or if they've hired anybody to do this job, yet?"

Feigenholtz: "It's true that the department has assured us that those... that that savings will be met, Representative."

Mulligan: "There is also some rumor that there is a letter circulating in Congress from this Body that would ask them to cut the senior care program in Illinois because we no longer need it."

Feigenholtz: "I've not heard of that."

Mulligan: "Perhaps, we should discuss it after this passage of this Bill because I think it would..."

Feigenholtz: "Sounds fascinating."

Mulligan: "...would be very ill-conceived if someone would think that cutting the federal funding from senior care would help this budget at all. Also, we are planning on expanding for additional Illinois seniors' comprehensive drug covered. According to the Governor's Office, there will be additional federal revenues from a drug rebate, some of these things have not happened yet."

Feigenholtz: "I think they're working on them."

Mulligan: "Weren't they worked on in pre... previous administrations?"

Feigenholtz: "I can't speak for previous administrations. I only know what I hear from this one."

Mulligan: "Also, they were hoping on actually receiving a higher matching for Medicaid funding which we have never been able to accomplish and that there is supposed to be some cost-savings in this budget for that."

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Feigenholtz: "I continue to get e-mails from Washington about new measures that are moving around in the fed... in Congress about this. I'm sure that everyone in this room understands it and that we're hopeful that somehow there's some relief for an increased FFP, but I think that that's so... I think that that's still a moving target. I know that your Leader has filed a lot of Resolutions and been working with Congressman Hassert on this and it's something that we're all waiting for. I know the Governor's been in Washington working on it and we're all hoping and praying that we can increase that match."

Mulligan: "And there'll be an expansion in KidCare and Family Care under this budget?"

Feigenholtz: "Yes, there will."

Mulligan: "I plan on voting for this budget, but I would be hesitant to point out to Members on both sides of the aisle that I think this budget is built on a house of cards and may fall apart before it's over because I do not think that it adequately reflects the increases in the programs that we are planning and that the money may not be there. But I plan on voting for it just to send to the Governor and the budgeteers, on all sides of the aisles in both chambers, that this would be a priority, that it's my personal priority. It may not be others in this Body because I feel this budget... overestimates savings that will not materialize."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3766 pass?' All those in favor vote

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'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 question, there are 93 voting 'yes', 25 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 3766 is hereby declared passed. House Bill 3767, the Lady from Cook, Representative Feigenholtz. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3767, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Ms. Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3767 is the budget for the Department of Public Health. The total FY04 budget request is 333,528,200; 124,394,000 of that is General Revenue; 209,136,300 is from other state and federal funds. The... House Amendment 1 made the following changes to the Bill: 51,400 was a grant to White Oak which will work on public relations and outreach for the adoption registry; 360,600 grant for residency programs."

Speaker Novak: "Thank you. Is there any discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative Feigenholtz, I would like to thank you for the work that we both did on this budget particularly Members of both sides of the aisle on the Human Service-Appropriations Committee that worked in

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amending this Bill for the Department of Public Health to address many of the concerns that Members on both sides of the aisles had and that you've gone through here and explained some of it, particularly we have some concerns about West Nile disease and different things that were going on and that the committee voted this out unanimously because we felt that the Department of Public Health's budget was inadequate as proposed by the Governor, correct?"

Feigenholtz: "That is correct. I was in the process of reading some of the restorations that we put into this program that many, many Members vote... from both sides of the aisle were very adamant about. I think that this budget is very near and dear to all the hearts of our Members. A lot of hard work, and considering the fact that we have such a large budget hole, went into this. When you speak about West Nile, Representative Mulligan, I'd like to reiterate that we have \$3.5 million from the emergency public health fund for mosquito abatement to curb West Nile vi... West Nile virus. There's also the \$2 million that the Governor spoke about for minority AIDS... HIV/AIDS prevention and outreach in the community. We've restored the AIDS hotline, which is the only hotline to deal with testing sites in the State of Illinois and answer questions for people who are in need of assistance. Representative Coulson and a lot of the other Members who are interested in restoration of the assisted living and shared housing programs as well as other Members concerned about Parkinson's Disease,

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Alzheimer's. We put another million dollars in for commun... for community health centers because they are the... the point of entry for many people who are non-Medicaid eligible, but still uninsured who are not eligible for FamilyCare and because a lot of what CHCs do are... they're reimbursed at higher rates and as you know, our committee is very committed to giving people service and trying to get as much federal bang for our buck. So, that's really the breadth of this budget. I'm sure that we all wish we could raise the amount of money we give to local health departments. I was informed by staff that the... there is \$42 million in bioterrorism money coming to the local health departments. Each health department, I believe, or almost every health department will be, finally be getting their own epidemiologist and shoring up our public health infrastructure that you and I have been trying to do ever since we've known each other. So, I think this is the best we could do for this year. We'll revisit it next year and I'd be glad to answer any more of your questions."

Mulligan: "Well, I would like to also commend you once again and I'd like to thank Representative Coulson on our side who was the point person on this particular budget. There are many changes in what's happening in the world that come through this budget whether it's worrying about terrorism or West Nile disease, but things that this budget needed to adequately address that weren't necessarily adequately addressed in the Governor's budget and particularly on this budget in the Amendment that we're sending out I would hope

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that the Governor's Office and the budgeteers would take notice of the committee who sat and listened to all these issues over the past several months and the increases that we feel need to be made. And once again, I'd like to thank both you and Representative Coulson for working on this budget."

Speaker Novak: "Further discussion? The Lady from DuPage, Representative Bellock."

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

Speaker Novak: "Sponsor yields."

Bellock: "Representative Feigenholtz, can you tell us... the money for the West Nile virus funding, can you clarify where that funding's coming from? Is that from that... from the tire Bill?"

Feigenholtz: "There's a new tire tax, a new 50 cent increase in the tire tax that's moving through the chamber in Senate Bill 361. It increases the fee and creates a special fund that will flow into the West Nile fund."

Bellock: "But in order to get that money then that means that Bill must pass, correct?"

Feigenholtz: "That's what that means."

Bellock: "Okay. The other thing that I wanted to clarify. Does that money specifically go just to local public health departments or to municipalities, also?"

Feigenholtz: "Two hundred thousand of it goes to the Department of Natural Resources and I was... to test for West Nile and I was talking to Representative Lyons about that earlier."

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And the balance of the income from that 50 percent increase is where we derive the 3.5 million that goes into the West Nile fund."

Bellock: "And where does that go to, to local public health departments or does it go to municipalities, also?"

Feigenholtz: "It goes to county public health departments."

Bellock: "And none to municipalities?"

Feigenholtz: "And then the counties give it to the municipalities as grants."

Bellock: "Okay. Thank you."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Lyons, Eileen Lyons."

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

Speaker Novak: "Sponsor yields."

Lyons, E.: "Representative, could you explain to me the two line items: the grant to the White Oak Foundation and the grant to the Robert Morris College? Why those items are in there?"

Feigenholtz: "These are actually grants that have been in the budget. One of them is for outreach, about the adoption registry and... What was the second one?"

Lyons, E.: "Grant to Robert Morris College hygiene program."

Feigenholtz: "It's... it's a program for children who get treated at this college."

Lyons, E.: "And this is a new... a new grant that's being provided for in this budget?"

Feigenholtz: "It's a one-time only grant."

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Lyons, E.: "And why are we adding it in the year that we are... why are we adding new grants?"

Feigenholtz: "To... It's actually a training program, we're gonna provide training."

Lyons, E.: "I understand what you're saying, you're explaining the program. I just wanna know why we're adding new grants in a time when we're watching every penny."

Feigenholtz: "Because people need dental care who can't get it."

Lyons, E.: "And could you tell me whose district the White Oak Foundation is in?"

Feigenholtz: "The White Oak Foundation isn't in anyone's district."

Lyons, E.: "Where is it?"

Feigenholtz: "It serves the... the State of Illinois and it's an adoptive support group."

Lyons, E.: "And the Robert Morris College?"

Feigenholtz: "It's in the City of Chicago, they're all over. Again, serving everyone in the State of Illinois."

Lyons, E.: "The Robert Morris College hygiene program serves everyone in the State of Illinois?"

Feigenholtz: "It's a school that serves everyone in the State of Illinois."

Lyons, E.: "I don't think so. Well, in any event. To the Bill. I... I... I don't understand why we have two grants in the public health budget, new grants in the public health budget, when in a year that we were trying to make cuts and we're adding grants. I would ask everyone in this Body to

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consider it, the fact that we're adding this new money, this new grant, in a time when we're trying to make cuts. Thank you."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Davis."

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

Speaker Novak: "Sponsor yields."

Davis, M.: "Representative Feigenholtz, I know you've worked really hard on this. Can you tell me what your total is for the West Nile disease?"

Feigenholtz: "3.5 million, Representative Davis."

Davis, M.: "3.5 million. How many people have caught West Nile in the State of Illinois?"

Feigenholtz: "The last count was 800."

Davis, M.: "About 800. And how much do you..."

Feigenholtz: "And there have been 60 deaths."

Davis, M.: "How much... Sixty people have died from West Nile."

Feigenholtz: "We lead the nation in deaths, Representative Davis."

Davis, M.: "Okay. The only reason I ask, Representative, is because I know you only have two million for AIDS prevention and I'm... I'm just concerned with that. There are many more deaths from AIDS or HIV and we only put two million in for that disease and prevention is the key. Can you tell me, Representative, how you can..."

Feigenholtz: "No."

Davis, M.: "...access the two million?"

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Feigenholtz: "Representative, this was a, obviously, something we all heard in the Governor's speech. And that he was gonna find this money in the budget for minority prevention and I totally agree with you. I think we... we underfund AIDS prevention, prevention is always cut in tough budget years and..."

Davis, M.: "How do you access the two million, Representative?"

Feigenholtz: "I'm sorry? I think... my recommendation, Representative Davis, is that we all continue to work together as we pass this Bill over to the Senate to try and get that two million dollars up."

Davis, M.: "Thank you very much, Representative. I appreciate your comments. Thank you."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3767 pass?' All those in favor 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 question, there are 87 voting 'yes', 30 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, House Bill 3767 is hereby declared passed. House Bill 3768, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3768, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Davis."

Davis, M.: "House Bill 3768 is the budget for the Department of Professional Regulation. The total for fiscal year '04

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budget request is \$26,057,500 from other state funds. This represents no change from the Governor's recommendation. I stand ready to answer questions."

Speaker Novak: "Is there any discussion? On this question, the Gentleman from DuPage, Mr. Biggins."

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

Speaker Novak: "Sponsor will yield."

Biggins: "Representative, do you have any figures on the changes in headcount for the Department of Professional Regulation?"

Davis, M.: "Do I have a headcount?"

Biggins: "Yes."

Davis, M.: "Okay. In fiscal year '03, the headcount was 319. The estimated headcount for '04 is 286."

Biggins: "Do we know the affect that early retirement had on this particular agency?"

Davis, M.: "Representative Biggins, 55 employees participated in the early retirement initiative."

Biggins: "So, that then..."

Davis, M.: "And 32 of those early retirement initiatives related to position... related positions will be filled in fiscal year '04."

Biggins: "Thank you."

Davis, M.: "You're welcome."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall 30... House Bill 3768 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 80 voting 'yes', 38 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 3768 is hereby declared passed. House Bill 3770, the Lady from Cook, Representative Feigenholtz. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3770, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Feigenholtz."

Feigenholtz: "Okay. House Bill 3770 is the budget for the Illinois Department of Veteran Affairs. The total FY04 request is 77,528,000. The total GRF funding is 36 thousand... 36,231,600. Total other state funds and federal funds 41,296,400. Representing no change from the Governor's recommended level. I'd be glad to answer any questions."

Speaker Novak: "Is there any discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Novak: "Sponsor will yield."

Mulligan: "Representative Feigenholtz, this budget covers the Department of Veterans' Affairs... Affairs which is responsible for the operation of the Illinois Veterans' homes at Quincy, Manteno and LaSalle. They provide quality nursing services and home care for veterans. They also help fund the Anna Veterans' Home, the field service

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programs, Outreach to Illinois' veterans, their dependents and their survivors. There was a total cut in this budget. Is that not correct?"

Feigenholtz: "That is correct."

Mulligan: "What percent was cut from this budget?"

Feigenholtz: "1.9 percent."

Mulligan: "Do you feel that the department will adequately be able to provide services, particularly considering that we will have some returning veterans with this cut in the budget?"

Feigenholtz: "I'm not happy about the cut, Representative Mulligan, I don't think that anybody in the committee was. As a matter of fact, I think that we all are quite compelled to revisit this budget in a better budget year and try and be... try and possibly work with the Governor's Office to expand it for exactly the reasons that you're articulating right now. But right now, I think that the Department of Veterans' Affairs seems to be somewhat complacent about this and feels that they can continue on through this difficult budget year."

Mulligan: "So, do you feel that perhaps by the time we come back, which would be for Veto Session, and maybe they would have a better handle with the new director to decide whether this will adequately cover the services that we need to provide and then we may or may not need a supplemental, but that we might need a supplemental to this budget at some point?"

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Feigenholtz: "You know what, I'm... I'm... I really... I can't comment on that. I really can't. I don't know if we're gonna be able to restore this 1.9 percent. I honestly can't answer that and I hesitate to make any kind of a commitment about revisiting this in Veto Session. I'm not sure that our budget woes will be gone by then."

Mulligan: "All right. I understand your position as the chair, I'm the Minority Spokesman, so I can be the little bit of the attack dog on this. It's not my Governor, but considering the situation we have with veterans in Illinois right now, I don't think it's a bad thing to point out."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "The Sponsor will yield, Sir."

Black: "Representative, without our veterans, obviously, we wouldn't be here debating anything today with the, you know, without the sacrifices that they've made over the years. Is... is this the department that recently told a Medal of Honor winner to hit the road?"

Feigenholtz: "I have no idea."

Black: "Well, it is."

Feigenholtz: "Sounds like you're gonna tell..."

Black: "This... this department... this department, about a month ago, laid off, whatever you wanna call it, told a Medal of Honor winner that he'd been replaced. I don't know how many living Medal of Honor winners there are in the

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country. I think there are less than a hundred. So, to whoever made that decision I just wanna say, boy, that really takes a lot of courage and intestinal fortitude to layoff a Medal of Honor winner from the Department of Veterans' Affairs. To whoever did that, I hope it rains on your parade."

Speaker Novak: "Further discussion? The Gentleman from Will, Mr. Meyer."

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

Speaker Novak: "Sponsor yield."

Meyer: "Representative, what are the cuts that the 1.9 percent represents?"

Feigenholtz: "I'm sorry. Was that... Will you repeat the question?"

Meyer: "Yes. What... what cuts does the 1,9 per... 1.9 percent represent? What are you going to cut?"

Feigenholtz: "The personal services line dropped by four million and there are..."

Meyer: "What do they do?"

Feigenholtz: "But that was replaced by the Home Fund which is why there wasn't that much of a loss."

Meyer: "Well, what does that... what is that job responsible for doing?"

Feigenholtz: "I'm sorry, Representative Meyer. Can you please ask that question again, so..."

Meyer: "Well, you indicated that there was... I understood, it's kinda noisy in here. If we could a little bit of order, so we could at least communicate on this Bill."

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Feigenholtz: "Mr. Speaker. Mr. Speaker. Can you make it so we can hear?"

Speaker Novak: "Shhh."

Meyer: "On... Your response to me was that the budget in this category had been cut by \$4 million. I was asking you what exactly was cut. What does that \$4 million represent? What services?"

Feigenholtz: "It was... Representative Meyer, this was... this money was taken out of the Home Fund, so..."

Meyer: "Well, the Home Fund is the services."

Feigenholtz: "All operational lines in this budget were cut and the depart... and the department of... and the... and the Department of Veteran Affairs said that they could sustain these cuts."

Meyer: "In other words, you're not gonna unplug any machines or anything over at that hospital."

Feigenholtz: "I don't think so, no."

Meyer: "Well..."

Feigenholtz: "I don't think our committee would have let that happen, Representative."

Meyer: "Well... well, you just heard from the previous speaker, they fired a veteran, a Medal of Honor winner here. Ya know, that's no small task either. Quite frankly, the veterans... the veterans' community in this state should be highly incensed by that. There's absolutely no excuse for it. The gentleman was in place for a number of years doing a good job and that's the kind of thanks he gets for... for the service he gave. And my concern is, Representative, is

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that you're talking about a whole lot of veterans in these hospitals, in the homes. That's their living place. That's what they... that's how they sustain their life in the hospital setting. And I don't think that it speaks highly of anyone to cut that department like that."

Speaker Novak: "Thank you."

Feigenholtz: "Representative Meyer, there are no bed cuts in this Bill and there's talk that we might even add 80 more beds."

Meyer: "Well, that's somewhat different from what you described, you're cutting \$4 million in services."

Feigenholtz: "Well, this is what we're working on now. I just don't want you to think that we are trying to cut the Veteran Affairs budget. That's not the intent..."

Meyer: "Well..."

Feigenholtz: "...of the Human Services Committee. As you know, most of us are comprised of 'the girls who can't say no'."

Meyer: "Ya know, Representative, the House and the Senate passed the Bills that will allow for the 80 additional beds. But so far we haven't seen the addition in the spending that'll allow for that. Is there money in this budget to allow for the 80 beds?"

Feigenholtz: "Thank you for your comments."

Meyer: "I'm not... I'm asking you questions. You're not giving me an answer. I asked you, is there money in this budget for the 80 additional beds that both the House and the Senate passed the Bills on? It's a simple 'yes' or 'no'. It's either there or it isn't."

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Feigenholtz: "I don't think there is, but I think there's discussion going on in the Senate about it."

Meyer: "Discussion about... I didn't understand that answer."

Feigenholtz: "About funding 80 beds."

Meyer: "Well, why isn't it in this Bill? We're in the House."

Feigenholtz: "'Cause it's not."

Meyer: "We are... we... we passed... we passed the legislation that provided for it. We should follow up with it and include in our part of the budget what we're considering here, the funding for those 80 beds. Well, I guess, to this Bill. Ya know, it sounds to me like whoever put this Bill together really didn't understand how... how they were going to meet the requirements that this Body has passed on in terms of the 80 beds, in terms of not wanting to have budget cuts in services to veterans. And certainly, I think we should consider that when we vote on it."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Fayette, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. To the Bill. First of all..."

Speaker Novak: "To the Bill."

Stephens: "...I'd like to associate myself with Representative Black's remarks. What we have by considering this Bill today is an opportunity to send a very strong message about someone in State Government who was just blatantly wrong. Of all the Americans that I know, of all the fine soldiers and Marines and airmen, all of the people that I've come in contact with over my years, not one of them has been

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affronted and his integrity questioned more than Hal Fritz. Hal Fritz came to government as a deputy-director of the Department of Veterans' Affairs. Politics is politics. If we wanna just take that Rutan position and take him out for political consideration, go ahead and do that, but you're taking the man who in the face of sure death saved not only his... his platoon, but the half of a company at the risk of his own life and he gets here to Springfield and guess what happened to him then. He faced the even bigger enemy because he... in the previous administration and I don't care what... Republican or Democrat, I'd say the... have the same to say, the re... the previous administration were Republicans. They made it known that they didn't want Hal Fritz to be in that administration. I don't know what the reasons were, but I do know this, they can... they... they brought up allegations that he was somehow involved in a plot, get this, a plot to assassinate the... the director of the Department of Veterans' Affairs. Absolutely ludicrous. A man who loves his country, wants to serve his country, has served his country. I can't believe that anyone being so... wants to be associated with this Bill. We have to vote it down now, so that we can get in serious negotiations. The state's gonna lose money because he has filed a motion in court. The evidence is clear. Evidence is clear. I know it's clear because they came to me. They, the last administration, and they said, we know he's your friend, we know he's your friend, we want you to ask him to leave the administration. Well, I said to them, as I say to you,

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give me a reason. There was absolutely... there was no reason. They... they... all they could do was have the State Police investigate his background, investigate all the charges made and they came back with a recommendation that is foggier than the reasons they state for leaving him go in the first case. There just wasn't a reason. All he asked in the end and to tell you the truth, this guy is such a great guy, you know what he wanted. When it came down to it, he just wanted one letter placed in his personnel file that said that the allegations made against Harold Fritz, Medal of Honor winner, were not in... not in order. That's all he wanted. You know what... you know what the Governor said, we're not gonna do that, we're not gonna do that. We want him to leave. He said, I'll take ya to court. So, it's in court. If we... if he wins, I sure hope he does, I hope he gets the chance to come back here and serve his country once again, but he... ya know... What else can we do? I mean, a Medal of Honor winner. I think there are about... Bill, I think we got about 12 in Illinois. We're... Today we're saying just this, a Medal of Honor winner deserves a little extra care and if we wanna hire... fire him, politically, it's a Rutan position. Let him go. Let him go. But don't fire him under circumstances that you... that were challenged that he had to respond to. Let him go. Let him go. Let's be honest about it. Let's not let this man of character, hold his head high and walk from the chamber a man who hasn't lost his respect. The only way we can do that is to stop this Bill, sit down and

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negotiate. And I don't care who the Governor has or who the past Governor has, but it's gonna take negotiations between all of us including previous administration and current and set the record straight. Join with me. We can set the record straight on this. That's all I want. That's all I want. Thank you, Mr. Speaker."

Speaker Novak: "Thank you. Further discussion? Seeing none, the question is, 'Shall House Bill 3770 pass?' All those in favor 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. Reitz. Mr. Fritchey. Ms. Coulson. Mr. Clerk, take the record. On this question, there are 70 voting 'yes', 42 voting 'no', 6 voting 'present'. And having reached the required Constitutional Majority, House Bill 3770 is hereby declared passed. House Bill 3771, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3771, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Davis."

Davis, M.: "The Environmental Protection Agency Bill, House Bill 3771. The Environmental Protection Agency will receive a total of \$796,700 in General Revenue Fund; \$1,309,322,500 in other state funds and \$55,535,900 in federal funds. This is a total appropriation of \$1,365,655,100. The Environmental Protection Agency's appropriation is not changed from the Governor's proposal. And I stand ready to answer questions."

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Speaker Novak: "Thank you. Is there any discussion? The Gentleman from Lake, Mr. Beaubien."

Beaubien: "Yes. Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Beaubien: "I'd just like to ask a question and make a comment first. One of the things we've been all concerned about, I think, really on both sides of the aisle, is we don't have the revenue side matching the expending side and under of the Governor's budget is approximately \$32,000 in fee increases that are gonna be charged to your constituents and your bus... and your businesses and there's \$26 million alone in the NPDES permit fees, so when you vote for this Bill, you're essentially saying you're accepting these fee increases on behalf of your constituents and your businesses. I just want you to be aware of that. I'm not suggesting you vote for or against the Bill, but these are the kind of Bills that have something in them, that have consequences down the line. I have no further questions or comments."

Speaker Novak: "Further discussion? The Gentleman from DuPage, Mr. Biggins."

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

Speaker Novak: "Sponsor yields, Sir."

Biggins: "Representative, this budget include any money to do an analysis of the air around O'Hare Field and the... what I... new addition of... additional plane traffic that's planned, I guess, over the next millennium? What might be the effects on the air in those surrounding communities?"

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Davis, M.: "There is no mention of O'Hare Field. There's nothing specific in reference to O'Hare."

Biggins: "I know there was a study done. Actually, a friend of mine's company did it... about a year ago and it found that with the wind as you know, they blow from the westerlies. They tend to take the air that is emitted, whatever's emitted from those jets and that blows it over the suburbs that are on the north and east of the airport property... proper. So, I'm worried that if they expand much more that there might be indeed increase the health hazard at O'Hare Field and the surrounding communities, particularly to Cook County community. The traffic goes in toward Cook County and so does the smog, apparently."

Davis, M.: "Representative Biggins, in 2002, there was an O'Hare Air Toxic Study and the amount was 27 thousand, but that has not... there's not been a line appropriated there since 2002."

Biggins: "And are these fee increases that are in this Bill, can you tell us who is going to be paying them?"

Davis, M.: "I don't think that that's totally established, Representative."

Biggins: "Well, and that be... if we pass the Bill, then won't we establish it?"

Davis, M.: "I think they're still working on exactly how the fee distribution will take place."

Biggins: "Well, my understanding is in the Governor's GRF proposal, the... the GRF is down in his budget proposal, but there will be three new fees created with the passage of

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this Bill, separate Bills, actually. I guess more than one Bill will be involved and therefore, the moneys to replace these funds will come from new taxpayers, in a sense or expanding fees that are paid by current ones for whatever services the EPA provides."

Davis, M.: "Representative, all fee increases will go into the General Revenue Fund. They're going into other state budgets. They're not going into this budget. Other state funds. They're not..."

Biggins: "I..."

Davis, M.: "I'm sorry, yeah."

Biggins: "But it says in this particular budget that this would be reflected, so I just wanna alert everybody as my colleague, Representative Beaubien did. Just to alert the Members that this could be expensive. Thank you for answering my questions."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Sponsor will yield, Sir."

Black: "Representative, in the Governor's budget address, there were certain permits and fees that he was talking about increasing that would, as I understood his budget message, go to the IEPA to help fund that agency. One of the difficulties we have is that we're asked to vote on a budget before we really have a good handle on how that budget will be funded. My specific question, he called for

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a considerable fee increase in the pollution discharge permits, NPDES permits. And it was my understanding that farmers, particularly livestock farmers, have to get these permits and they have always been free, but if and I... I didn't have time to look in the budget book, but I know I... I... I'm pretty sure my memory's correct, that those fees would no longer be free to any applicant. Now, I have heard from my sanitary district who have... evidently they have been notified that their NPDES permit will cost several thousand dollars. Now, they'll just pass that on to those of us in that sanitary district, I understand that. They're not gonna absorb it, they'll pass it on in higher sewer fees, but I am worried about the livestock farmer who has no place to pass on the cost. He sells his hog or he sells his cattle at whatever price the market will bring and... and I hate to deal in rumor, but some farmers, I wish Director Hartke was still here, some farmers have been told or have heard that these fees on a large livestock operation may be as much as five to seven thousand dollars. And I know a hog farmer in my district whose total profit last year from his hog operation was not five thousand dollars. So, I know it may be a rhetorical question and I may not be fair of you to ask it of you, but it would seem to me that the fee is somehow tied to what this budget will eventually be. Did any of that come up in the approp meetings?"

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Davis, M.: "My understanding, Representative, is the fee increases will go into General Revenue Fund. And I do have those same concerns that you have."

Black: "And then they will be appropriated to the agency that the fee is related to. That... that your understanding?"

Davis, M.: "I believe that is so, yes."

Black: "Okay. And that's a... that's a very fair answer. Thank you very much."

Speaker Novak: "Thank you. Any further discussion? Seeing none, the question is, 'Shall House Bill 3771 pass?' All those in favor 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. Granberg. Mr. Millner. Ms. Feigenholtz. Mr. Clerk, take the... take the record. On this question, there are 70 voting 'yes', 47 voting 'no', 1 voting 'present'. And having received the required Constitutional Majority, House Bill 3771 is hereby declared passed. House Bill 3774, the Lady from Cook, Representative Feigenholtz. Mr. Clerk, read the Bill, please."

Clerk Bolin: "House Bill 3774, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3774 is the budget for the Department of Aging. The total fiscal year '04 request is \$330,000,000; 246... 263,030,700 is General Revenue and 67,215,300 is other state and federal funds. We've not touched the Governor's recommended proposed

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levels for this budget. I'd be glad to answer any question."

Speaker Novak: "Is there any discussion? And on this question, the Lady from Cook, Representative Mulligan."

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative, once again, particularly on this budget, I just wanted to make a statement that I find it very difficult to vote on these appropriation Bills without knowing what the revenue is going to be. Actually, there was not a cut in the Aging budget. Is that correct?"

Feigenholtz: "I'm sorry. What was your question?"

Mulligan: "I'm saying there was no cut in this budget."

Feigenholtz: "No."

Mulligan: "But without knowing reve..."

Feigenholtz: "If there was a... a 2.7 percent increase in this budget, Representative."

Mulligan: "Right. And that they once again lapsed money that will go towards different things in the budget because they... have to over allocate in case they have to provide services and we never know exactly how many services will have to provided under this budget, so they routinely lapse money..."

Feigenholtz: "From the community care program. Is that the five million you're... you're talking about?"

Mulligan: "Right. But that there were some things that were missing on this budget that the committee particularly wanted. One of them was to use some of the lapsed money to

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change the asset limit for seniors which would allow many more seniors to access certain programs?"

Feigenholtz: "That is correct and we're still working on that and committed... committed. I know that Senator Obama and Senator Ronen are working with budget staff to try and make that happen. It's a lot of money."

Mulligan: "So, the committee was actually not particularly happy with this part of the budget?"

Feigenholtz: "No. We were not happy at all."

Mulligan: "No. Also, there were some discrepancies when they tried to explain what was in their budget from what the Governor has proposed?"

Feigenholtz: "I don't recall that."

Mulligan: "Well, I know there were inconsistencies particularly until we asked them about the lapsed funds."

Feigenholtz: "I... Yeah, that."

Mulligan: "Okay."

Feigenholtz: "I believe that there's some paperwork I have on my desk about that, but I... you and I can talk about that later."

Mulligan: "All right. So, this budget is not actually been cut, but it is not a huge increase. It does got to cover certain issues, partic... not a particularly large increase for home care workers and we don't have enough people that are willing to take care of the elderly, so there's always a problem with this budget that we do not adequately fund. Is that not correct?"

Feigenholtz: "That's correct."

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Mulligan: "All right. So, we're gonna go along with this one more time 'cause it's a tough year, but I would not find this to be an adequate budget to actually handle the needs of the elderly or in the Aging budget in the State of Illinois."

Speaker Novak: "Further discussion? Seeing none, the question is, 'Shall House Bill 3774 pass?' All those in favor 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 question, there are 98 voting 'yes', 20 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 3774 is hereby declared passed. House Bill 3775, the Lady from Cook, Representative Davis. Mr. Clerk, read the Bill, please."

Clerk Bolin: "House Bill 3775, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Novak: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 3775 is the Illinois Department of Agriculture's budget directed by Representative Hartke. The total fiscal year '04 request is \$108,585,200. The total GRF funding is \$45,503,900. Total other state and federal funds is \$63,081,300. House Amendment #1 removed the agricultural education program from the Department of Agriculture and placed that program or transferred it back to the State Board of Education. I stand ready for questions, Mr. Speaker."

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Speaker Novak: "Thank you. And on this question, the Gentleman from Knox, Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. Representative, first question is on the Amendment that you just referred to. And you said that the line item for ag education, and that came up at the Committee of the Whole, and then under the State Board, I believe, was put in... was proposed to be put in the Department of Agriculture, then you said the Amendment put it back under what, State Board?"

Davis, M.: "State Board of Education."

Moffitt: "Is that still a separate line item so that, ag, education is identified separately..."

Davis, M.: "Yes, it is. Yes, it is."

Moffitt: "And you will help maintain it as a separate line item?"

Davis, M.: "Absolutely, absolutely, Representative Moffitt."

Moffitt: "Okay. 'Cause we had that guarantee on the Committee of the Whole."

Davis, M.: "From John, yes."

Moffitt: "What's the overall... How does this budget compare to last year then?"

Davis, M.: "It is reduced by 8.5 percent. Last year the total was \$115,120,900 and this year it's down to \$110,466,400."

Moffitt: "That's a... Do you know how large a reduction it was last year or was it a reduction?"

Davis, M.: "I don't know. I can find out."

Moffitt: "'Cause you said it's over an eight percent in the proposal here."

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Davis, M.: "We have it here. Representative Moffitt, we're gonna get that for you and I'll share it with you and I'll share it with the public when we get it. We don't have it on the floor."

Moffitt: "Okay. That's what percent it was reduced last year or how it... how it changes from last year and was it reduced last year."

Davis, M.: "Well, the percent that I gave you, 8.5 or something..."

Moffitt: "Is on the proposed..."

Davis, M.: "...was from fiscal year '03 to fiscal year '04."

Moffitt: "Okay. Does this... Will 4-H or Extension be impacted by this budget or is that under a different one? Will they be impacted at all?"

Davis, M.: "I don't think that the 4-Hers are impacted."

Moffitt: "What about Extension? Can we believe..."

Davis, M.: "The Extension. When he returns with that sheet, we'll be able to tell you exactly which programs were impacted..."

Moffitt: "Could..."

Davis, M.: "...from the 8.5 percent reduction. You do want that information and we will give that to you."

Moffitt: "I sure do. Could we wait and vote on it until after we have that information?"

Davis, M.: "Pardon? Okay, we got it. We have to... Excuse me, Representative Moffitt. Could we go to another person and come back to you, please? We'll come back to you."

Moffitt: "Real fine. Thank you, Representative."

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Davis, M.: "Thank you, Sir."

Speaker Novak: "Thank you. The Gentleman from Vermilion, Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, again, and I... I'm just trying to satisfy my... curiosity's the wrong word, I guess, my concern. In the Governor's budget message, there were about four fertilizer fee increases."

Davis, M.: "Mmm, mmm."

Black: "Now, some of those would be on commercial fertilizer companies and may very well be on fertilizer that you or I would buy to fertilize our yard or our garden or whatever. But there was an agricultural fertilizer fee increase and again, I think your answer the last time was... was on... was on point, if those fee increases are enacted, they'll probably go to GRF and then be appropriated to the agency that's related to that fee increase. I'm not even gonna ask you to comment. You gave me a fair answer the last time. I guess it comes back to the crux of the issue that some of us have expressed concern, I think on both sides of the aisle in our various caucuses, we're often asked to vote on a budget when we're just not really sure what fee increase or what tax may be used to fund the agency. So, I... I'm not... I'm gonna vote 'present' on this even though I'm... I come from farm country and my relatives have farmed all their lives. If there is to be a fee increase on

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agricultural fertilizer, then that, again, the farmer can't pass that cost on and I... I wish Director Hartke was here, maybe he could talk to us individually, but until I get the answer to that question, I cannot in good conscience vote 'yes'."

Speaker Novak: "Thank you."

Davis, M.: "Thank you, Representative, and we do understand. Yes, thank you."

Speaker Novak: "Thank you. Mr. Moffitt. Ms. Davis."

Davis, M.: "Oh. Representative Moffitt, you... you asked what was the difference between the fiscal '02 budget and '03 budget. In '02, the budget expenditures... okay, the expenditures from '02 to '03 to '04, is that what you're seeking? Okay. In '02, the expenditure was \$79,246,000. In '03, the expenditure was \$53,678,800. In '04, the request is for \$47,385,100, in GRF funds."

Moffitt: "So, that's actually... was that around a 50 percent reduction in two years? I didn't write..."

Davis, M.: "Yes and a large portion of that was the purse recapture from the horseracing."

Moffitt: "Okay. The information I have is though that I think we're actually negatively impacting 4-H Clubs. It would be impacted by the reduction of the U of I Extensions, GRF appropriation. I'm really concerned about actually that negative impact on both Extension and 4-H. Also, CFAR funding, would you comment on how... how is the funding for CFAR in the proposed budget over the current budget and the current over the prior year?"

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Davis, M.: "I'm sorry. I missed the end of it."

Moffitt: "I'd like how the proposed spending for CFAR compares to the current budget and then how the current compares to the year before."

Davis, M.: "Well, Representative, we are... we're trying to find those. We were prepared... Okay. C... CFAR went down from 6 million to 5 million."

Moffitt: "For the proposed budget?"

Davis, M.: "The proposed budget and it's still 5 million. But there was a joint committee meeting and they discussed raising it, but at this time it is still at 5 million."

Moffitt: "How does this impact funding for soil and water conservation districts?"

Davis, M.: "It went down from 20,667,100 to 19,274,300."

Moffitt: "So, we would be reducing funding for soil and water conservation districts..."

Davis, M.: "This was for the estimated for the finance and technical assistance to local soil and water conservation districts."

Moffitt: "Is a cut? Is a reduction?"

Davis, M.: "It's a small cut, yes."

Moffitt: "And the department is taking about a 50 percent cut in two years?"

Davis, M.: "It's not a 50 percent cut because of the horse purse. The horse purse makes it appear to be 50 percent, but if you take the horse purse out, it won't be 50 percent at all."

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Moffitt: "But we're cutting CFAR which is research agen... does a lot of agriculture research, helps us generate value-added products or find new value-added products. We're reducing funding for education or Extension, we're reducing funding for 4-H. We have total funding for a department of about 50 percent in two years."

Davis, M.: "Well, what we're doing, Representative, is attempting to follow the Governor's requested level and the Governor's requested level did require some reductions. I think we've heard on the floor about other reductions and this agency will also experience some reductions."

Moffitt: "What my concern is, Representative, it seems like it's a disproportionately large hit, a disproportionately large cut in two years. We're impacting the youth of our state. We're impacting conservation in our state. We're negatively impacting those. We're negatively impacting research in our state for the #1 industry in this state. I've got very serious concerns the directions this is going. I think we really need to revisit this and come up with a plan. I mean, it's like agriculture's already taken its hit. No one else has taken that kind of a hit and when it impacts youth and conservation and research, the ripple effect would be tremendous. I really hope we could avoid that and I think..."

Davis, M.: "Representative..."

Moffitt: "...this is one budget that should not be approved in its present form."

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Davis, M.: "...I do understand, but we are attempting to follow the Governor's request and follow his budget requests."

Moffitt: "Representative, you're aware that there are several Extension Units and 4-H Clubs in Cook County alone, aren't you?"

Davis, M.: "Yeah. Ya know, I used to be a 4-H Club leader and the name of our club was the Green Buccaneers. I was the leader and we did all kinda projects and had wonderful experiences winning rewards... winning awards in Wisconsin and around the Midwest. So, I do understand your concern and mine is equal; however, in the final analysis we have attempted to follow the Governor's budget request. And the agency feels that they, too, can continue to function at this level."

Moffitt: "I just wanna tell ya one thing and Representative, I'm glad you're personally familiar with 4-H and Extension and I wish you would help us maybe indicate that it would be unwise to make such large cuts in these programs and we could stand together on that. Here's... Just talking about youth program, just think of the message we're sending, ya know, to youth and all the other programs that this could negatively impact. And here's a... an evaluation on the youth program, an evaluation of the character education program in the Chicago area showed that educational outcomes and student behavior improved after student participation in the 4-H character education curriculum. According to the U of I Extension, 70 percent of the principals and teachers reported an increase in school

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attendance, 85 percent reported an increase in oral language skills, 80 percent reported a decrease in discipline problems, 91 percent reported improved relationships between teachers and students, 80 percent reported a decrease in the vandalism. And we want to cut, we want to cut a program that has that kinda results? No, we don't."

Davis, M.: "Representative, I can only say that the agency and the Governor both feel that these programs can continue to operate with his proposed budget. He doesn't... nee... he's not cutting the program out, he's merely reducing the funds that they will receive. The programs are not being totally destroyed or cut out, so we're trying to honor the Governor's request."

Moffitt: "Representative, I appreciate your indulgence, but I would just urge everyone to think about what you're doing here. A vote for this is voting to cut funding for... reduce funding for 4-H, reduce funding for extension, reduce funding for agricultural research, reduce funding for conservation... soil and water conservation districts very negatively. Negatively impact our #1 industry. And I think the votes should reflect the importance of this industry to the state. Thank you."

Speaker Novak: "Further questions? Further discussion? The Gentleman from DuPage, Mr. Biggins."

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

Speaker Novak: "Sponsor yields."

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Biggins: "Representative, you saw the new director of the department earlier, just a little bit ago, did you not? Did... you saw the new director of the Department of Agriculture here, just a few minutes ago?"

Davis, M.: "The director has probably gone on to his office, Representative Biggins."

Biggins: "I'm sorry. I couldn't hear you either. Mr. Speaker..."

Davis, M.: "He... he has..."

Biggins: "...could you..."

Davis, M.: "He's probably gone to his office. He's not here."

Biggins: "That's fine. Well... and now, if you think... I'd like to say goodbye to him in a very civil fashion. You think you could use your influence with the Chair to maybe enable us to attend to say a fond farewell to our fine friend, this evening?"

Davis, M.: "We'd like very much to do the very same thing, in fact, I wish I could just call these numbers and we could vote. I mean, ya know, if your Leadership agree? We agree. We'll call these numbers and vote and go to those dinners. I've got a soul food dinner waitin' for me."

Biggins: "Well, thank you for the invitation."

Speaker Novak: "Further discussion? Seeing none, 'Shall... the question is, 'Shall House Bill 3775 pass?' All those in favor 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 question, there are 78 voting 'yes', 35

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voting 'no', 4 voting 'present'. And having reached the required Constitutional Majority, House Bill 3775 is declared passed. Representative Arthur Turner in the Chair."

Speaker Turner: "On the Order of Third Reading, we have House Bill 3776, Representative Hannig or Representative Davis, Monique Davis."

Clerk Rossi: "House Bill 3776, a Bill for an Act making appropriations. Third Reading of this House Bill."

Davis, M.: "Thank you, Mr. Speaker. House Bill 3776 is the budget for the Illinois Arts Council. The total appropriation is \$18,568,500. Total GRF funding is \$17,893,500. Total other funds are \$675,000. House Amendment #1 corrected a drafting error to the Arts Education Grant line and this correction represents no change from the Governor's plan. The Illinois Arts Council budget has been reduced. I stand ready for questions, Mr. Speaker."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Biggins: "Could you tell us how much that the Arts Council's budget's being slashed this year?"

Davis, M.: "It's being... it's being cut by 5.7 percent."

Biggins: "Now..."

Davis, M.: "Yeah."

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Biggins: "Now, there's a little bit of an inconsistency here because most of the larger budgets are being cut maybe a small percent of one percent or half a percent or they're increased slightly, but you take a small agency like the Arts Council and you take 5 percent away from 'em, I don't get the logic there. It's the Governor's... I know this is the Governor's plan, but I guess I'm missing his logic. Can you help me with that?"

Davis, M.: "Well, all I can say, Representative, is when the director came before our committee, you know that she was very accepting of the Governor's cuts of her budget. She felt that she could continue to operate the programs even with these cuts."

Biggins: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3776 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk should take the record. On this question, we have 97 voting 'aye', 18 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Winnebago, Representative Sacia, for what reason do you rise? Okay. On the Order of Third Reading, we have House Bill 3780. Read the Bill, Mr. Clerk. 3777."

Clerk Rossi: "House Bill 3777, a Bill for an Act making appropriations. Third Reading of this House Bill."

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Speaker Turner: "Out of the record. Out of the record. On the Order of Third Reading, we have House Bill 3780. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3780, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Davis."

Davis, M.: "House Bill 3780, Mr. Speaker, is the budget for the Department of Central Management Services. Central Management Services received a total appropriation of \$3,372,477,700. Of this appropriation, \$1,064,827,800 is GRF, \$2,307,649,900 is other state funds. House Amendment #1 reflects a change in distribution of the education technology grants. As amended, \$12,185,200 will be appropriated for technology for success, 12 million will be appropriated for the Illinois Century Network and 600 thousand will be appropriated for the advanced technology grants. I stand ready to answer questions, Mr. Speaker."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Biggins: "Representative, the group insurance program here looks like it's gonna be short by a considerable amount of money and I know there's supposed to be a supplemental appropriation coming along. Can you tell us the status of where that supplemental is?"

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Davis, M.: "There will be a supplemental, but it isn't ready yet, Representative Biggins. There will be a supplemental..."

Biggins: "And..."

Davis, M.: "...for '03"

Biggins: "And the amount is gonna be around 75 million or do you not know that?"

Davis, M.: "We're working through the process. It will be whatever is needed."

Biggins: "Mmm, mmm. We're still gonna end up with a shortfall or note of about 45 million and even if we get the supplemental passed which we haven't seen yet. Aren't we putting these... some of these coverages at risk?"

Davis, M.: "Well, there... that's one analysis. There are several analysis that are being done, Representative Biggins, but I share your concern. But I also know that they will work this out."

Biggins: "Mmm, mmm. Now, this is the largest agency that we handle in our appropriations, you're a chair, and the headcount's kinda large here. That... Can you tell us the difference what the headcount this year versus '04's proposed?"

Davis, M.: "Representative Biggins, in 2002, the headcount was 1,137; in 2003, the headcount was reduced to 999 and it appears that we have left that number at 999."

Biggins: "Mmm. I've got a higher count then on my notes, so... even with the 11 thousand people taking early retirement, at the beginning of this year, you'd think there'd be

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somebody that would have left CMS and there might be some savings there, wouldn't you?"

Davis, M.: "I would agree."

Biggins: "Good. In that case, I'm with you. Thank you."

Davis, M.: "Okay. Thanks."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Black: "Representative, there was one transfer made in this budget that I simply do not understand and that was taking a very successful technology access grant that had been made to the Illinois Community College Board for a number of years and I think by anybody's analysis or audit or whatever had been a complete and total success. And all of a sudden the entire technology access grant that had been used by community colleges is transferred to CMS. And for the life of me, I can't get anybody to tell me why and when I started to inquire, they said, oh, well, don't worry, it'll be appropriated back to the community colleges. Ya know, I was born at night, but not last night. And that just isn't gonna happen. And I don't understand..."

Davis, M.: "And..."

Black: "...that at all. I mean, that \$12 million is what keeps the community colleges on the cutting edge of technology, so that they can do job upgrading, skills upgrading and to move that from the Community College Board, where it is a

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proven success, and just transfer the money to CMS, absolutely makes no sense. Why... why couldn't we just amend this in the Senate? There's no net loss of dollars. Just take the 12 million back to the Community College Board where it has been a proven success."

Davis, M.: "We don't disagree, Representative, but they will get the money. I think..."

Black: "Well, ya know, I've heard that before, but I think CMS is gonna siphon some of it off for administrative expenses or whatever and I... I just... that is one transfer, in all due respect to the Governor and the Bureau of the Budget, that just absolutely makes no sense to me whatsoever. You're familiar with the community college system."

Davis, M.: "Mmm mmm."

Black: "It is a crown jewel. It's the light cavalry of higher education and to take that away from the community college system, I honestly don't understand that at all."

Davis, M.: "Well, they're really not taking it away."

Black: "I hope you're right."

Davis, M.: "They're not taking it away. And you know what, I was surprised that the city college didn't come and talk to me."

Black: "I..."

Davis, M.: "I didn't hear one word from them."

Black: "I think they're still in a state of shock, but you're right, they should have... they should have talked to you very... very definitely. And it might be something that we can work on in the Senate because there's no loss or

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addition of money. It would just be putting the responsibility for it back where it originated. The other question that I have and I don't fully understand, supposedly the CMS budget has some money to combine legal services. That... If I... if the article in today's Springfield paper is accurate, even the Attorney General has expressed some concern about putting some money in the CMS budget to kind of consolidate agency lawyers under CMS. I... be real honest with ya, I didn't understand it when I read it. I just bring it up because I thought the Speaker might get kick out of it, Speaker Turner."

Davis, M.: "You're absolutely correct. The Attorney General has expressed some concern that those dollars would be appropriated into the CMS budget. We're looking for it now."

Black: "Okay. Well... And I would assume that since the Attorney General is the constitutionally elected chief legal officer of the state that she will look into this and if necessary, again, I would hope that changes would be made in the Senate, if, in fact, this is not a wise appropriation."

Davis, M.: "I certainly have a great deal of confidence in our new Attorney General. I think..."

Black: "So do I."

Davis, M.: "...I think she knows how to walk into that Senate and ask for what she needs to ask for. Fortunately, for us, she has all... she has been a part of that Body so she knows how that system works."

Black: "Well, since..."

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Davis, M.: "Your concerns are extremely important and I appreciate it."

Black: "I... I... I appreciate that, Representative. And since I'm in the minority and I need all the help I can get, if you or the Attorney General needs any help in going to the Senate and questioning the wisdom of that appropriation, will you let me go with ya?"

Davis, M.: "I would love for you to go, Representative Black."

Black: "Thank you very much."

Davis, M.: "And when they hear you comin', they're gonna shake in their boots."

Black: "God, I certainly hope so."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3780 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 72 voting 'aye', 46 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have House Bill 3781. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3781, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Davis."

Davis, M.: "House Bill 3781, Mr. Speaker, is the Supreme Court... it is the Court of Claims and also the Secretary of State's budget request. The total fiscal year '04 request for the

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Secretary of State is \$385,224,000. Of that, General Revenue funds are \$133,229,400. Other funds, \$251,994,600. House Amendment #1 reduced the GRF fund by \$6,172,700. House Amendment #1 reduced the Road Fund by \$5,749,900. House Amendment #1 increased other state funds by \$8,726,199. Supreme Court, the total fiscal '04 request for the Illinois Supreme Court is \$298,569,000. Of that, \$288,397,900 are GRF funds; \$10,171,100 are other funds. This reflects no change from the Governor's recommended level. The fiscal year '04 request for the Court of Claims operations is one mil... I'm sorry. Yeah. \$1,500,100 GRF. This represents no change from the Governor's recommended level. Mr. Speaker, I stand ready to answer questions."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise? Not yet. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, to tell you the truth, I don't whether to ask a question or just break down and cry on this budget. But would the Sponsor yield?"

Speaker Turner: "She indicates she will."

Davis, M.: "I will yield."

Black: "Representative, there is a significant transfer of Road Fund dollars, a diversion, if you will. Representative Righter, who has subsequently gone to the Senate and now is probably taking the Senate's afternoon nap, Representative Righter and I tried to stop these diversions about three

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years ago and we weren't successful, but that's in the past. It appears that from 2003 to 2004 we're diverting \$50 million of Road Fund money above the statutory cap. Would that be an accurate statement?"

Davis, M.: "It is the same as last year, Representative."

Black: "Naaa, I don't think so. Look... look at your... look at your total fiscal '03, the statutorily set diversion was 80.5 million, total SOS diversion 130.5."

Davis, M.: "You're looking at '02."

Black: "What?"

Davis, M.: "Oh, Representative, that's '02. Let me... let me share this with you."

Black: "Okay."

Davis, M.: "In fiscal year '03, the appropriation was \$133,229,400. I'm sorry. Oh, you want the Road Fund. I'm sorry. It's a hundred and..."

Black: "Right. Just the Road Fund."

Davis, M.: "A hundred and thirty million five hundred thousand for '03 and the same amount for '04."

Black: "But we have... we have..."

Davis, M.: "Zero percent change."

Black: "We have that up... we have it up 131.5 and ya know, we're not gonna argue about a million bucks, but... But if you add the SO... well, I'm not gonna get into the State Police budget 'cause that's not in here. I... I... Representative, again, thank you for your forthright answers. Mr. Speaker..."

Davis, M.: "There was an increase for last year..."

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Black: "Yeah."

Davis, M.: "...but not this year."

Black: "Yeah. Well, unfortunately, there's been a diversion for too many years. Mr. Speaker, to the Bill. I have nothing but respect for the Secretary of State. I consider him a friend. I served with him in the House. I think he is an absolutely remarkable man. And I don't want my remarks construed as being anti-Secretary of State or certainly anti-Jesse White, because I'm anything but. But Ladies and Gentlemen of the House, particularly those of you downstate, we cannot continue to sit back and let the Road Fund money be diverted as it's being diverted this year. Additional funds to the Secretary of State, additional funds to the State Police, another, almost... more than a hundred million will be diverted from the Road Fund for the administrative fee that the Governor is charging all funds. Ladies and Gentlemen, the Road Fund is a user fee. Your motor vehicle license plates, your titles, your gasoline taxes, those people who use the roads are paying for those roads and they expect those roads to be maintained and new roads, i.e., two years ago the Hillside Strangler was fixed at a cost of, I think, in excess of a hundred million dollars. That's what the Road Fund is to be used for. I cannot and will not in good conscience, I have in the past, but the figures that were released today, quite frankly, at first made me mad and secondly, upset my ulcer and thirdly, if I wasn't as old as I was, I'd have simply broke... broken down in tears. If you look at the

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reductions in the IDOT road districts Road Fund, my road district is cut by 35 percent. District 5 and all of the central Illinois districts take about a 26 to a 35 percent cut in Road Fund appropriations. District 1, which is in Chicago, takes a 11 percent cut. Now, I'll grant ya there are more people that live in District 1 than live in District 5, but 35 percent reduction in most of the central Illinois IDOT districts, vis-à-vis an 11½ percent reduction in District 1, that's not fair and that's not equitable and at some point this Body, whether you sit on the left side of the center aisle or the right side, has to stand up and say, Road Fund diversions have gone far enough. And if we don't stop it, I would suggest that those people who pay the abundance of the user fee taxes for the Road Fund, if I were them, I'd engage an attorney and file a lawsuit because the user fees are not being used for the intended purpose. And I cannot in good conscience vote for this budget even though I have the utmost respect for the Secretary of State. It certainly isn't a vote against the Secretary of State. My vote is against the continual and upward trend of diverting Road Fund dollars for general expenses. That's wrong and it has to stop. I urge a 'no' vote."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

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Biggins: "Well, if you thought the Road Fund was diverted for this budget, wait 'til you see when they keep up with the Governor's promise to tear down those tollbooths. And then when you see how the rest of the state's all gonna help pay for the toll roads, that are currently paid for only by the users in the northern part of the state. But the Governor promised those booths would come down. I presume he's gonna keep his promise. The Road Fund then... well, you can divvle... divvy up what's left of it. There won't be much for anybody. Now, I have a question for the Sponsor regarding the license plate fees and the Governor's proposal to sell vanity plates and I wondered if there's anything in this budget that reflects how much revenue will be derived from selling vanity plates at a much higher rate or putting them out to auction or whatever the plan is."

Davis, M.: "The budget does not reflect the sell of vanity plates and probably doesn't because we wouldn't know how many people might care to purchase."

Biggins: "But they already do pay for vanity plates, but the idea... I think, it was the Governor's plan, I don't believe it was the Secretary of State's plan. Would you correct me on that? I don't believe it was Mr... I think it was the Governor's idea, not the Secretary's."

Davis, M.: "Well, the Governor... the Secretary of State is agreeable to the Governor's budget request."

Biggins: "Okay. Now, because if you go to sell these plates to people... You know, one of the reasons they like having 'em and they do pay a small extra amount each year to have

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them. But if all of a sudden, their plates have to be purchased, well then, the specialness is lost. So, that projected revenue, I think, is like a wish list out there that maybe it'll happen, maybe it won't, but there's no guarantees that anybody's gonna wanna pay for what they used to get for a much less fee."

Davis, M.: "Good comments."

Biggins: "Thank you very much. Now, I have a question about the Supreme Court budget. Does this include any pay increase for any of the justices?"

Davis, M.: "Representative, the Supreme Court budget is exactly as it was last year, to the line."

Biggins: "So, there's no pay increase for them? That answers that."

Davis, M.: "Exactly, exactly as it was last year."

Biggins: "Okay. Well, we may hear more about this next week, so I'm told. Does this... does this budget for the Supreme Court include any money for special automobiles for the justices, private and chauffeur-driven cars and chauffeurs, bodyguards?"

Davis, M.: "It's the exact same as it was last year. Nothing has changed."

Biggins: "Well... well, they did. Apparently, some of them did have chauffeurs and they had bodyguards and they had a nice car to driven around in and..."

Davis, M.: "Well, they didn't really have nice cars to be driven around in."

Biggins: "Well, the woman didn't, but the men did."

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Davis, M.: "Remember... remember when Judge McMorrow came before our committee and she said there was a guard available... they used the same... their security guards as their drivers. They used the same guards as their drivers. If you remember, it was explained that many of the inmates who were released from Death Row had gone before the Supreme Court and been turned down. And the Supreme Court, some of them felt the need to continue with their bodyguards and their drivers."

Biggins: "All right."

Davis, M.: "So, this budget reflects the very same dollar amount as it did last year, Representative."

Biggins: "But Justice McMorrow and Justice Garman, they still takin' care of themselves with security and they're not doing with those... those trappings, et cetera. But I guess, some of the men felt it was necessary to have somebody drive 'em around in about car, you know. Well, let me... it bothers me, if I had a security guard and I was deemed in need of some security, why would I want my security guy driving my car? Wouldn't I want my security guy next to me in the car or is he supposed to drive and reach for the pistol or what's he supposed to do? Why would they do it that way? How about they get another employee to drive the car so the security guard can stay and watch, gun a ready to protect our Supreme Court justices?"

Davis, M.: "Well, it would appear that if you're a Supreme Court justice and you want to have someone drive you around and there are no money in the budget, the best next thing

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to do would be to use your security guard to drive you around. So, that's what they do. And you know, after we listened to her testimony, I really think, Representative, I think you did agree with me that they were being very frugal. She chose not to use her security guard to drive her around 'cause, see, we like to put on our makeup in the car sometimes, so she didn't want him around. But you know she..."

Biggins: "No. But she could have a male... she could have had a female."

Davis, M.: "She agreed that the others needed and used their drivers and their security."

Biggins: "Yeah. Well, she could have a female security guard, by the way, then she wouldn't have to worry about that. But, anyway, I have no more questions, Mr. Speaker. Thank you and thank you for your answers."

Davis, M.: "Yes. Thank you."

Speaker Turner: "Any more questions? The Gentleman from Macon, Representative Mitchell, for what reason do you rise?"

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just... I was going over and would like to echo... To the Bill, please, what Representative Black just said. The talk about the diversion in... in the Road Fund. My district, which consists of seven counties here in central Illinois, seven counties that have been hit pretty hard by the economy. I represent DeWitt County, 9½ percent unemployment. Macon County averages about 8 percent unemployment. We're diverting a hundred and fifty-one..."

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excuse me, a hundred and fifty-one million dollars from the Road Fund to the Secretary of State's Office. In District 5, which Representative Black so eloquently said, we took a 35 percent hit. In District 6, which is Sangamon County which I represent parts of, 31 percent. Downstate... I can't see how any downstater, whether you're a Republican or Democrat, would vote for this Bill. We're... we're hurting downstate and we need help. And I don't know how you can divert money from the Road Fund to the Secretary of State when we have such important projects in central Illinois, such as Route 51, Route 29, all areas that I represent. So, I would urge a 'no' vote."

Speaker Turner: "No further questions. The question is, 'Shall House Bill... Represe... Representative Davis to close.'"

Davis, M.: "That... that fund is just the same as it was last year. And I urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 3781 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk... Clerk shall take the record. On this question, there are 69 voting 'aye', 45 voting 'no', 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have House Bill 3782. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3782, a Bill for an Act making appropriations. Third Reading of this House Bill."

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Speaker Turner: "The Lady from Cook, Representative Davis."

Davis, M.: "House Bill 3782, Mr. Speaker, is the Department of Commerce and Economic Opportunity's budget request. The total budget request of \$1,199,300... no, that's wrong, \$1,199,349,695. This total represents a combination of \$52,999... \$52,999,448 in GRF and \$1,146,349,695 in other state funds. The fiscal year '04 budget represents a 49 percent cut from the fiscal year '03 level. House Amendment #1, Mr. Speaker, restored a grant for \$1 million to the Chicago Manufacturing System. House Amendment #1 restored a grant for 1 million to the Illinois Manufacturing Extension System. House Amendment #1 reduced the Federal Workforce Development Fund by \$10 million to account for the reinstatement of jobs for Illinois graduates at the State Board of Education and Workforce Development in the Department of Human Services. House Amendment #1 also eliminated funds for Illinois's Future and Capital Development Fund lump sums. I stand ready to answer questions."

Speaker Turner: "The Gentleman from Cook, Representative DuPage... I mean, the Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

Biggins: "Mr. Speaker, will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Biggins: "And I do represent both Cook and DuPage Counties, so, as usual, you're doubly correct."

Speaker Turner: "We appreciate you very much."

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Biggins: "Now, there's some comp... combining of some... the Workforce Investment Act and the Trade Adjustment Assistant Act and associated programs are being transferred to the Department of Employment Security from there to DCO and will that become an issue at all with any federal funding that's available?"

Davis, M.: "I didn't hear the end."

Biggins: "Well, will this affect any federal grants that we've been expecting in the years past?"

Davis, M.: "It won't affect the federal grants."

Biggins: "Would you explain the headcount, the differences between the early retirement. You've got a large headcount increase, relatively speaking here."

Davis, M.: "Representative..."

Biggins: "Well, what... maybe what's the current headcount..."

Davis, M.: "The headcount for '02 was 505, for '03 was 527, and for '04 we have 564 estimated."

Biggins: "Well, then how does that tie in with the early retirements?"

Davis, M.: "Well, I think it has to do with the fact that all those job... work... you know, job training, departments were transferred here. And 80... I'm sorry, 80 employees took the early retirement. This represents 15 percent of the Department of Commerce and Economic Opportunity's workforce."

Biggins: "Okay. Are we yet expected to maintain our foreign offices..."

Davis, M.: "They will..."

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Biggins: "...such as in Poland and China?"

Davis, M.: "...they will be maintained."

Biggins: "How much bonding have we got left from the Build Illinois Fund?"

Davis, M.: "That would be in the Capital Development budget."

Biggins: "So we moved that this year for the first time to the CDB, is that right?"

Davis, M.: "No, they didn't. That has always been there. I think the only thing that has moved would be the job training opportunities."

Biggins: "Apparently I don't have any questions you can't answer. Thank you."

Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Bost: "Representative, in your personal budget, do you think if you had the opportunity to invest a dollar and gain about \$21, would that be a good investment?"

Davis, M.: "That's why some people go to the boats, Representative."

Bost: "That's what... why some people what?"

Davis, M.: "Go to the boats."

Bost: "Oh, okay. Well, without the boats. I mean, if you have a business investment and you have an opportunity to invest one dollar and you can get \$21 on your return, would that be a wise investment?"

Davis, M.: "Very wise."

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Bost: "Can you tell me why it is that one of the investments that we've had in the State of Illinois to expand business which is in the Grape-Wine Resource Council, where we're competing with other states to expand existing businesses, whether it's a... the grape vineyards or the wineries that that would be appropriate thing to do to go ahead and remove that from the..."

Davis, M.: "Well, the Governor based that decision, Representative Bost, and I support the Governor's decision."

Bost: "Okay. So... so, what we're saying is, is that if we have an opportunity to e... invest in expansion of business and growth of business in the State of Illinois in a sensible way that shows that small business is encouraged to grow, probably one of the best returns we're getting on our dollar that's one of those things that should probably be removed from the budget. Is that what you would say by this Bill?"

Davis, M.: "Thank you, Representative. I appreciate your questions and I do understand. The Governor has put dollars into entrepreneurial programs."

Bost: "My only concern is that everyone in this House voted, or everyone of the Members that were here, voted to support this particular industry even to the point of a Bill being sent to the Senate and now has been passed on, but now we're not going to include that in the budget. I have a little problem and concern with that and I think it should be mentioned at this time."

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Speaker Turner: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I realize... First of all, Mr. Speaker, let me thank the appropriations staff in the Speaker's Office. I believe, my memory isn't what it used to be, I believe this is the first time in many years that we have had appropriation Bills on our laptops. We usually get some mo... a hundred page document and try to follow along. I really appreciate this. It makes it much easier. Having said that, I rise in reluctant... I'm not gonna vote 'no' on this Bill, but I'm gonna vote 'present'. I think, Representative Bost pointed out some things that I'm concerned about, but let me just add one thing. Well, actually, two or three. The Rural Diversification Fund, that last year had \$575 thousand in it, is gone, eliminated. Now, that... that's sends a chilling message to my constituents who live in a rural area. The Rural Diversification Fund is redlined, it's gone, but in the additions, the first three line of additions, there's \$1½ million worth of additions to projects in the City of Chicago. Now, at some point... I love Chicago and I love all you people that live in Chicago. I love to visit Chicago. I'm just thrilled the way the Chicago Cubs are doing, but, hey, give us a little break here, will ya? Day after day after day we've been on the Chicago agenda. So, you wipe out the Rural Diversification program, but in the first three lines of the addition, and let me get 'em right here,

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I don't want to make a mistake, \$250 thousand reappropriated to a grant to the United Business Association of Midway. I take it, that's not Midway Island in the Pacific. Line Item 2: reappropriated from the General Revenue Fund for a grant for the United Business Association of Midway, \$250 thousand and third, but not last, \$1 million from the new Technology Recovery Fund for a grant to the Chicago Manufacturing Center. Now, you know, I... at some point, let's get back to an agenda where all parts of the state are at least treated semi-equally, all right? I know... I know my hometown isn't as big as Chicago, but it's just as important to me and the people who live there as the City of Chicago is to those of you who happen to live in that very, very beautiful city on the shores of Lake Michigan. The other problem with this Bill, that's going to cause me to vote 'present', is once again we're voting on the spending part and when we don't know what the revenue is. Do any of you make out your household budget this way? You... you go to the store and you spend money and you go to the automobile dealer and you buy a new car, when you have no idea what your revenue's gonna be. We couldn't live that way. I thought we were gonna change the way we do business in Illinois. We're still puttin' together the budget the old way. Let's pass the spending Bills and then see if we can find the revenue to match the spending. Let's turn it around. Find the revenue and then match our spending to our available revenues, that's the way you ought to build a budget. And once again, when all

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is said and done, there is one sales tax exemption that the Governor said had to go. The rolling stock exemption would bring in \$95 million. First of all, in all due respect to the Governor and the Bureau of the Budget, I don't think... if you exempt that tax, I don't think you'll have a net increase of \$10 million. I can give you the name and address of a plant manager in Danville, Illinois, that employs 400 union workers that builds railroad freight cars. And they have clearly stated, that if they have to charge 6½ percent per freight car, per sale, for sales tax on rolling stock, they're gone. They're going to Pennsylvania where they already have a plant. So, I don't think you're gonna make \$95 million if you do away with the rolling stock exemption. And do you think Boeing Aircraft will locate a plant in Illinois if we sales tax rolling stock, because airplanes and airplane parts are rolling stock. We would be the only state in the Midwest to put sales tax on rolling stock. That's a bad idea. I've been told it's off the table, but here you're asking me to vote for a budget when I don't know what the revenue source is gonna be and God help us all if we eliminate the rolling stock exemption. My hometown will be the tip of that iceberg. There's goes 400 jobs to Pennsylvania. We can't afford that loss. I can't afford to vote for a pig in the poke. I'm gonna vote 'present'."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell, for what reason do you rise?"

Mitchell, B.: "Will the Sponsor yield?"

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Speaker Turner: "She indicates she will."

Mitchell, B.: "Madam Chairman, is... is the Illinois Manufacturing Extension Center in this? Is this funded in this?"

Davis, M.: "It is. The million dollars for the Illinois Manufacturing Extension Center is here."

Mitchell, B.: "Okay. And the Governor introduced his budget, he zeroed that out, but... Is that correct?"

Davis, M.: "Yes."

Mitchell, B.: "Okay. Yeah, this is very... In my area, we just lost Firestone, a couple years ago for all locomotive in DeWitt County and so we've been hard hit. So, this is a very good program. I just wanna make sure that..."

Davis, M.: "Yes. It is definitely there. It is."

Mitchell, B.: "Well, Ma... Ma'am, excuse me. What was last year's? What was it funded at last year?"

Davis, M.: "Last year was zero."

Mitchell, B.: "I beg your pardon?"

Davis, M.: "They didn't receive money from GRF. They received a Member Initiative Grant."

Mitchell, B.: "It was... and funded at what level?"

Davis, M.: "Almost a million."

Mitchell, B.: "Okay. Thank you, Representative, I apprec..."

Davis, M.: "It might have been a million and a half."

Mitchell, B.: "I appreciate your answer."

Davis, M.: "Certainly. Thank you."

Speaker Turner: "The Gentleman from Will, Representative Meyer, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Meyer: "Representative, I see that there's money in here for coming from a tire fund or something. Can you explain to me what's going on with that?"

Davis, M.: "For what, Representative."

Meyer: "There's some money here that references a tire fund."

Davis, M.: "I'm sorry. We can't understand you, Representative."

Meyer: "Then we're gonna have to have a little bit more quiet in here. Shhh. Thank you. Representative, I understand there's money in here that is coming from a tire fund. Can you speak to that?"

Davis, M.: "A tire account?"

Meyer: "Yeah. Perhaps... My computer here is jumping around a little bit."

Davis, M.: "If you're... Are you speaking of the used tire fund?"

Meyer: "Yeah. Used tire fund."

Davis, M.: "That remains in that agency where it has been for years."

Meyer: "But what is done with that fund? Was that... what was that 3... \$3 million used for?"

Davis, M.: "They give grants to people or organizations to dispose of tires. Some people chop them up."

Meyer: "Well, does any of that go to..."

Davis, M.: "Some people use them for running tracks."

Meyer: "Does any of that go to the Nile Virus issue?"

Davis, M.: "No, it doesn't."

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Meyer: "Why not?"

Davis, M.: "Because they didn't choose to do that. It's just a formula."

Meyer: "Well, I guess my... the reason for my question is, here we have \$3 million sitting in a fund that could be used for that and we're increasing a ta... the fee for that in another part of the budget. My question is, why don't we use this 3 million before we go on and increase fees somewhere else?"

Davis, M.: "This helps to get rid of the tires and it al... which causes the mosquitoes to... you know, the water settles in the tire inside and then this creates the breeding of the mosquitoes."

Meyer: "That part I understand, but..."

Davis, M.: "So, in a way it does help West Nile by getting rid of those tires and also standing water. People... you know, should get rid of standing water, that will help."

Meyer: "Well, isn't that what that additional fee is gonna be used for that..."

Davis, M.: "Yes, it is."

Meyer: "... is going on au..."

Davis, M.: "To get... for West Nile."

Meyer: "Is that over and..."

Davis, M.: "Yes."

Meyer: "Well, with this \$3 million, it is not specifically earmarked for the West Nile Virus fight, correct?"

Davis, M.: "Yes, it is. This money is used to eliminate the tires."

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Meyer: "Well, I think that's something that needs to be done. So, thank you for your responses."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3782 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 74 voting 'aye', 39 voting 'no', 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have House Bill 3783. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3783, a Bill for an Act making appropriations. Third Reading of this House Bill."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3783 is the DCFS budget. The total '04 budget recommendation is a billion... \$1,376,516,800. 838... 838,048,600 is GRF. 537,468,200 are other state and federal funds. We have passed this budget untouched from the Governor's recommended levels. And I would be glad to answer any questions that anyone here might have."

Speaker Turner: "The Lady from Cook, Representative Mulligan, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Mulligan: "Representative, excuse me, aren't they keeping their funding even to what it was from last year?"

Feigenholtz: "Yes."

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Mulligan: "When we asked in committee and I was just trying to go through their book and find it now, it was asked and our staff had figured out that they lost \$14 million in federal funding and they claimed they didn't, but we see several programs that are there that they have lost money in federal funding. Did they ever get back to you with an answer on that?"

Feigenholtz: "No."

Mulligan: "There are several programs... several child protection projects which was cut 702 thousand, independent living and the LAN State Board of Education. The independent living initiative was cut \$2 million, the LAN State Board of Education was cut \$11 million. How did they lose this federal funding and if they... the budget remains the same and they lost 14 million in federal funding they obviously are taking more out of GRF to make it stay the same."

Feigenholtz: "Representative Mulligan, the summary that I'm looking at on this budget, the appropriations are identical. They're... from '03 to '04. There's zero change."

Mulligan: "There's zero change where? Not in those programs. The total appropriations, but not in federal funding. We... I figure..."

Feigenholtz: "You asked if the GRF went up, correct?"

Mulligan: "Pardon me?"

Feigenholtz: "Did you ask if the General..."

Mulligan: "No. I said, how can we lose... how can the budget stay the same... We lost \$14 million in federal funding and

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they're saying it's remaining the same. Wouldn't GRF have to go up to account for the loss of \$14 million in federal funding in order for it to remain the same?"

Feigenholtz: "I understand what you're saying and I'm looking at my analysis. Where I see... the 16,009,800 that was reduced from the budget came from other funds. It was... So, the GRF portion was not diminished based on the federal loss. They put the money back into the GRF line and cut in other places at the department. We're looking for the fund, right now."

Mulligan: "All right. Well, if there's three and it's under... under operations, all funds. And one of the programs added which I'm not disagreeing with except I'm... with the definition... There were several programs added. One was the Program Development for Troubled Kids, at the 26 million and the other one was the Training Program for Private Agencies at 13 million which, I think, all comes out of GRF. So, when they switched the funds around and then they lost federal funding, we had to make up for it with GRF."

Feigenholtz: "I believe they lost only 3 million in federal funding, Representative."

Mulligan: "If you look under operations, all funds, it shows a lot more money than that. And the problem was, we had the new director there like on his second day and nobody from the agency ever gave us that. So, my feeling with DCFS is there's potential for problems there and I'm really concerned about it. It's another one of those budgets where the Governor's introduced level and what actually

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happened or what actually the agency's presented budget, there's some, we feel, discrepancies. Their headcount they gave us was 3,425 and I'm not sure how many they said they lost, but they did lose a significant number. I'm trying to remember if it was around 200 employees that they lost which... and that's one of the agencies where probably they will have to replace some of them or otherwise they won't be able to do the case management. My concern is the budget is introduced from the Governor's level and what the agency gave us contains discrepancies that will cause a problem in operating that agency. And the two new programs that they specifically talked about, I would hope that they would both go towards the problems that we're having at facilities like Maryville with the really problem children that... young people that should not be mixed in with other groups. So, I think that money is necessary, but my problem is that it's remaining the same even though they lost headcount, we didn't get any explanation of how they were gonna replace that headcount..."

Feigenholtz: "You know, we have not... I believe that that was a question we asked at the final DCFS hearing that we had which, as you know, and you just said, was the new director's first day on the job."

Mulligan: "Right."

Feigenholtz: "I agree that... I agree with the comments you made about Maryville and I agree that it's important to make sure that this new program for children who enter the child welfare system with emotional and mental health needs stays

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intact and that some of the \$13 million that we have, that enhancement for training for private agency child welfare is also very important. Some of the other questions have.. I think people are just figuring out where the elevator is, right now and that we just need to give the department a little bit of time to work on fine tuning some of these lines, Representative Mulligan. But I believe that a lot of the cuts were administrative which was what was demanded of every agency when it came to the Governor's administrative order on spending and spending reductions for '04, eliminating positions and reducing equipment purchases. But I don't believe that there are any significant programmatic cuts and as far as the headcount goes, I'm sure that we are going to work with the director to encourage him to obviously make sure that we have enough direct care and caseworkers to handle these difficult populations."

Mulligan: "Representative, while I agree with some of the things you're saying, my job as Minority spokesman in that committee is to point out problems when we come across a budget that I find problematic. This budget, I think, is one. First of all, I think most of these Bills are gonna go in the Senate and although we're stating priorities by sending these Bills over, I don't necessarily feel that they may act on them. But I do think that this is one of the budgets that we, as Representatives who are concerned about what happens with troubled children in this state, need to flag because I think there are a lot of

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discrepancies in what the Governor's introducing. We have a new director. We certainly have to watch this and I think it's going to be monitored... have to be monitored quite carefully over the course of the next year. In fact, I would not... I would suggest that it's an ongoing thing where while we're out of Session we may want to hold hearings on this again."

Feigenholtz: "I agree. I think that there are some reductions that are of concern, but I appreciate you moving things along here. Thank you."

Mulligan: "Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Aguilar, for what reason do you rise?"

Aguilar: "Thank you, Mr. Speaker. Just a quick question, Representative. How are these programs funded? Is it through assessments, vouchers..."

Feigenholtz: "I'm sorry, Representative. Could the Speaker please do something about the volume in this room? Representative Aguilar, could you please restate your question?"

Aguilar: "I just want to find out, how are these programs funded? Are they through vouchers, through assessments?"

Feigenholtz: "It's a combination of General Revenue, other funds and federal money."

Aguilar: "Okay. I'm just... I only wanted to express to the Bill. My disappointment that you've spent \$18 million on training and only \$600 thousand on child abuse prevention. I'm gonna vote for this Bill, but when I saw the numbers, I

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think we should focus more on our children than, you know, than other aspects of the... of the programs here. Thank you."

Speaker Turner: "The Gentle... the Lady from Cook, Representative Flowers, for what reason do you rise?"

Flowers: "Will the Lady yield?"

Speaker Turner: "The Lady indicates she will."

Flowers: "Thank you. Representative, if I may, just to follow up briefly on Representative Aguilar's statement about \$18 million being spent on training. Now, I would think because the contract that was let to these agencies and the people that they hired would already be trained and that would have been in the contract when they negotiated with DCFS. I don't think it's incumbent on the children to pay for the people to train them to be taken away from their parents, so I would suggest and I, too, would like to give this new director and his agency time. But I think we need to put them on notice that \$18 million for training is not acceptable because, after all, this agency exists because of the children. Now, getting back to the children, how much money is there for reunification, please?"

Feigenholtz: "Family reunification in substitute care line, Representative Flowers, is 783 thousand... million 866 thousand dollars."

Flowers: "Okay. Now, you... you said something double. You said family reunification..."

Feigenholtz: "Right. It..."

Flowers: "...and then you said, in substitute care."

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Feigenholtz: "Right."

Flowers: "I don't..."

Feigenholtz: "I have one line here, in this budget, that those two items are combined on."

Flowers: "Okay. But see that's a contradiction within itself. You..."

Feigenholtz: "I don't disagree."

Flowers: "Okay. So, now I need for someone to break that line down."

Feigenholtz: "Okay. Here. Let me show you what I have here. For family preservation..."

Flowers: "Now, that's something different. Family preservation is different from family reunification."

Feigenholtz: "The line is not broken down in this budget, Representative."

Flowers: "Okay. Okay. Well, just... just for the sake of the final, final vote, that line needs to be broken down. Someone from that agency... someone from that agency, I want them to report to me and tell me what is the dollar amount for family reunification, what is the dollar amount for family preservation. And I wanna know how much of that 18 million is gonna be taken from this so-called training for these adults who already have a contract with DCFS who supposedly already trained to do what they're supposed to be doing. And how many more children does DCFS anticipate because I would imagine that their numbers should be going down."

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Feigenholtz: "They are. I think that their line that reflects a decline in foster care caseload shows a reduction or an anticipated reduction of 11 percent. Therefore, the foster care caseload is expected to be about 16,650 by the end of '04."

Flowers: "And Madam Director, I would appreciate in your... Madam Director, am I... excuse me, Madam..."

Feigenholtz: "Thank you."

Flowers: "...Chairman."

Feigenholtz: "Thank you."

Flowers: "Madam Chairman, I would appreciate maybe at your next hearing or as... like the previous Representative stated that we should have some hearings across the state this summer and I would like to join you on that because I would like to know how much monies is being spent across the state in regards to preservations, in regards to family reunifications and what are we doing to maintain the children in the homes. So, and again, the most important thing is I wanna see why they need \$18 million for some training for people who already have had a contract let and in that contract they said what they were going to do and obviously, they... they need \$18 million. They can't do it, so therefore, maybe the contract should be reevaluated. Thank you very much."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3783 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? The Clerk shall take the record. On this question, there are 82 voting 'aye', 34 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. I'd like to inform the Members that there are approximately 11 more appropriation Bills that we have to go through. That's not counting Bills that we have to move from Second to Third, so just so you know what sort of time table we're operating on. There's 11 more of these appropriation Bills we're going to hear tonight. On the Order of Third Reading, we have House Bill 3784. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3784, a Bill for an Act making appropriations. Third Reading of this House Bill."

Davis, M.: "House Bill 3784, Mr. Speaker, is the Dry Cleaner Environmental Response Trust Fund Council. The Dry Cleaner Trust Fund will receive a new appropriation of \$3 million and a reappropriation of \$2,980,300 for a total of \$5,980,300 from the Dry Cleaner Environmental Response Trust Fund. The dry cleaners appropriation is not changed from the Governor's proposal. I stand ready for questions, Mr. Speaker."

Speaker Turner: "Seeing... The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Biggins: "Are there any fee increases or increased charges that will result in more money for the Dry Cleaners Trust Fund?"

Davis, M.: "No, not at the moment, Representative."

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Biggins: "Do you know why they call it this way? Is this like, if you can't trust your dry cleaner, you can't trust anybody or what? Why are they call it this?"

Davis, M.: "Why do they call it the Dry Cleaner Environmental Response Trust Fund?"

Biggins: "Oh. D-E-R-T, DERT. Uhh. Well, thank you. No further questions."

Davis, M.: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3784 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 75 voting 'aye', 40 voting 'no'. And this Bill... this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from... the Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Yes, Mr. Speaker. On the previous Bill, House Bill 3783, I intended to vote 'no' on that. Would hope that the record would reflect that."

Speaker Turner: "The record will so reflect."

Wirsing: "Thank you."

Speaker Turner: "On the Order of Third Readings, we have House Bill 3785. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3785, a Bill for an Act making appropriations. Third Reading of this House Bill."

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Davis, M.: "House Bill 3785, Mr. Speaker, is the budget for the Department of Employment Security. The fiscal year '04 budget recommendation of \$17,052,560. \$16,772,600 are GRF funds, \$279,960,775 are other state funds. This is no change from the Governor's recommended level. And I stand ready to answer questions, Mr. Speaker."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

Biggins: "Would the Sponsor yield, Mr. Speaker?"

Speaker Turner: "She indicates she will."

Biggins: "Thank you. Representative, the Unemployment Insurance Trust Fund is what we're talkin' about here, right?"

Davis, M.: "We're talkin' about the Department of Employment Security."

Biggins: "Yeah, but their funds... with their funds in there is the Unemployment Insurance Trust Fund."

Davis, M.: "There is a... money in this budget for the employment trust fund, yes."

Biggins: "For the unemployed, though?"

Davis, M.: "Yes."

Biggins: "Well, now, that's always puzzled me about this agency because it's called the Department of Employment Security, but shouldn't it be since the money goes to unemployed... shouldn't it be the Department of Unemployment Security, so that we're providing security for the unemployed?"

Davis, M.: "You know, I have to look back and say, now, who was in office when they named that."

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Biggins: "Abraham Lincoln. I checked. Thank you. I have no further questions."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3785 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 74 voting 'aye', 42 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have House Bill 3786. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill... House Bill 3786, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "The Lady..."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3786 is the Deaf and Hard of Hearing Commission. This is a small \$637,200 budget out of GRF. And it has remained at the Governor's recommended level. I would be glad to answer any questions from just about anyone."

Speaker Turner: "The Lady from Cook, Representative Mulligan."

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

Speaker Turner: "She indicates she will."

Mulligan: "Representative, there's only a \$51 thousand change in this budget?"

Feigenholtz: "\$51,200, Representative."

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Mulligan: "Okay. And this covers, the Deaf and Hard of Hearing Commission covers information for deaf and hard of hearing, general public, Legislators, governmental agencies, service providers, organizations and private entities. Is that correct?"

Feigenholtz: "Correct."

Mulligan: "So, there isn't much change in this budget and they provide good services."

Feigenholtz: "Right."

Mulligan: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3786 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 95 voting 'aye', 20 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have House Bill 3787. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3787, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "The Lady..."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3787 is the Department of Human Rights budget for their '04. Line recommendation is 8,709,200. 2,464,900 are federal funds. 6,244,300 is General Revenue. There have been no changes or add-ons to this budget."

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Speaker Turner: "The Lady from Cook, Representative Mulligan, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Mulligan: "Representative, what was the cut in this agency?"

Feigenholtz: "\$619,400."

Mulligan: "Do you feel that's going to make a difference in their caseload, how they're gonna handle it, move cases along?"

Feigenholtz: "They... they clearly mentioned in committee that they did have staffing reductions, but they didn't... I don't believe that they spoke to the caseload issue whether or not they would be able to handle it or not."

Mulligan: "Normally, they usually give us the number of days it takes and I'm not quite sure what that was as this point of the evening, but we were worried that they did have an increase in contractual services. I wonder if that's going to handle in a way to go to contractual services to cover the loss of the caseload, so they don't have to hire regular employees and I'm trying to remember what the answer to that was."

Feigenholtz: "I'm sorry. Representative, in my analysis, I read that one of the main missions and goals despite the budget problems of the department is to maintain their staffing levels for the investigative division. So, I believe, although I haven't read through this whole thing completely, that there were 13 early re... DHR staff retirements, for early retirement..."

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Mulligan: "What do they have left, 70 or they wanted to carry it at 70?"

Feigenholtz: "They... You know what..."

Mulligan: "Quite frankly, this is at the Governor's introduced level. My only concern with the budget is that if there should develop a backlog in cases because they don't have adequate staffing, that we revisit this issue eventually. I don't think it's right to let the cases go on and I think they have a specified time in which they have to finish a case, so I think this will maybe need a... a look to see what... how they're handling what's gonna happen with these cases."

Feigenholtz: "I have in my analysis that five early retirement positions will be filled in FY04, two will remain vacant and six will be eliminated. You asked me what the total number of employees were and you said 70. That's not the number I have here, but I only have one large number of all personnel which is a hundred fifty-nine, I believe. Actually, in response to the Governor's directive to reduce unnecessary spending, the Department of Human Rights recommended '04 budget reflects the \$619 thousand decrease in administrative spending. These reductions will be achieved through staffing cuts. The recommendation is to reduce personnel from 153 to 149, but I believe that that's likely not investigators."

Mulligan: "All right. I think the headcount they gave us was 148, so maybe they're just going to increase to a certain point. My only problem is if the caseload... if there's a

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backlog in caseload which I think they have to finish within a certain length of time."

Feigenholtz: "I'm with ya."

Mulligan: "Okay."

Speaker Turner: "The Lady from Cook, Representative Flowers, for what reason do you rise?"

Flowers: "Will the Lady yield?"

Speaker Turner: "She says she will."

Flowers: "Representative, just, again to follow up behind Representative Mulligan, my concern would be the time limitation to bring closure to these cases that affect so many people's lives. And already I know because of the previous cuts that there are a backlog of cases. Do you know how many cases are on the backlog? How many cases are pending?"

Feigenholtz: "That information, Representative, is not in our budget analysis."

Flowers: "Okay. So, and also, would this have an affect on the amount of funding there'll be... the federal funding?"

Feigenholtz: "That has remained the same."

Flowers: "Even..."

Feigenholtz: "Federal funding has remained the same."

Flowers: "Okay. I couldn't imagine that it would remain the same because it depends on how many caseloads are covered or closed and what the outcome of the cases are and the amount of people that have... how ever many cases has brought in and how many cases brought to a closure. So, I could not imagine... I could imagine that we would lose monies

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because of the lack of workers, the... how many investigation... how many investigators are we gonna lose versus how many people that's actually in the office that's workin' on the case or cases."

Feigenholtz: "We're not losing investigators."

Flowers: "So, how many investigators do we have?"

Feigenholtz: "I don't have that number here, but I do have a paragraph about how the mission of the department in the face of having to make staff reductions is to maintain the staffing levels for the investigators, so it's likely they're cutting other administrative personnel as opposed to investigators."

Flowers: "Okay. Just, for safety sake, we need to know specifically how many investigators they have. We need to know how many cases are pending, how far back their backlog goes. And how many people are actually in the office that's working on these ongoing cases."

Feigenholtz: "I'll have staff make a note of that, Representative Flowers, it's a very good question both from you and Representative Mulligan. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3788... 3787 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 88 voting 'aye', 29 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third

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Reading, we have House Bill 3788. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3788, a Bill for an Act making appropriations. Third Reading of this House Bill."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3788 is the budget for the Department of Human Services. The fiscal year '04 budget recommendation of \$5,018,702,200 is what the Governor and the department recommend. The General Revenue portion of that number is 3,667,667,208,800 is General Revenue, 413,256,700 is other state funds, 938,236,700 is federal funds. And here are the following changes that were made. The... the reductions that were made are 2,855,500... oh, I'm sorry. 2,855,500 was removed from the DHS budget to accommodate for the transfer of the Philip J. Rock Center which was moved to the State Board of Education budget. \$2,000,500 was removed from the TANF GRF line to fund the autism project. The autism project has been partially funded from this line in the past. Four million was removed from the addiction treatment Medicaid line because the program lapsed \$8 million last year and had an additional \$9 million increase this year. The mental health and DD disabled increases in restorations. Representative Bellock was asking me about this earlier. The committee, after long hearings, made a collective decision to restore funding for the community service grants for persons with mental illness. That will be \$1,832,700. We restored the \$33,100 for psychotropic medication for the mentally ill. A hundred and four

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thousand two hundred dollars was added to restore funding for psychiatric services in the North Central Network. 2.7 million was added to the MI CILA line for Olmstead and an additional 6.5 million was added beyond that. The additional 6.5 million has been taken from the long-term care line which I mentioned when I was doing the Public Aid budget. The total money taken from the Department of Public Aid was 13 million which is roughly only 10 percent of the cost for institutes for the mentally diseased, IMDs. It is the committees hope that 10 percent of the clients can be moved from an IMD institutional setting which has no federal matching funds into less restrictive community based MI CILA settings or to supportive housing where there are federally matching funds. 3.5 million to fund mentally ill supportive housing was put in the budget and taken from the long-term care line in... also, from the Department of Public Aid to help cover the increase. The money taken from the budget equals roughly 10 percent of the cost for IMDs. It was the committee's hope and direction that 10 percent of the clients can be moved from the IMD institutional setting into those MI CILAs, into supportive housing, at much lower costs. \$55,100 was added to restore the funding to mental health Medicaid, 110,400 was added to restore funding to the mental health emergency psychiatric service line. 263 thousand was added to restore funding to the community service grant programs for children and adolescents with mental illness. 253,200 added to restore the funding to the MI individual care grant line, ICG. A

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hundred and nineteen thousand five hundred was added to restore the METRO CNA grant line. A total of 66,700 was added to restore all the mental health center network transition lines, Tinley Park, Alton Mental Health, Choate Mental Health, Singer Mental Health, Chicago Reed, Madden and McFarland all received those restorations. A hundred thirty-five thousand seven hundred was added to restore the juvenile justice initiative. 6,248,800 was added to restore the funding to the DD grants and POC, purchase of care line. Seven hundred thousand dollars was added into the budget for assistive technology so that people can use technology-related assistance for living independently in the community, people living with disabilities. And the beauty of that \$700 thousand, of course, is that it will yield 2 million in additional funding from the Federal Government. The committee has been operating under the premise of, if we can get matching dollars to help people live in the community, we're going to make that investment. It's a strategic investment. \$800 thousand in new funding was added for home modification related assistance similar to the previous line. This increased funding also yields \$2 million from the Federal Government."

Speaker Turner: "The Lady from DuPage, Representative Bellock, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

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Bellock: "Thank you very much. And thank you, Representative Feigenholtz. I just wanted to clarify that all the cuts were restored to DD and to mental health."

Feigenholtz: "Everything was restored except that 2 percent reserve that wasn't really in the budget."

Bellock: "Oh, but that's important, the 2 percent reserve. Okay."

Speaker Turner: "No."

Bellock: "I wanted to ask one other question."

Speaker Turner: "Go ahead."

Feigenholtz: "But everything was restored, Representative Bellock. Yes, all of the cuts in MH and DD were restored."

Bellock: "Okay. One other thing in the budget I wanted to ask about was the restoration of money for the domestic violence shelters because it says that 250 thousand was still not restored. And I think that that budget was cut the year before, if I remember correctly."

Feigenholtz: "We've restored to '03 levels, Representative Bellock. What line were you talking about?"

Bellock: "Domestic violence. It says restore part of the funding for domestic violence shelters, but 250 thousand was not restored."

Feigenholtz: "That's not an MH-DD line. We did not restore the whole thing, that is correct."

Bellock: "No, no, it's just under DHS."

Feigenholtz: "Right."

Bellock: "So, it wasn't restored."

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Feigenholtz: "We had to make some very, very difficult decisions."

Bellock: "I really object to that. And I think that that was cut the year before, too, if I remember correctly."

Feigenholtz: "Not all the lines were restored, Representative. All the MH-DD lines that you originally asked about were restored."

Bellock: "Oh, they weren't?"

Feigenholtz: "They were."

Bellock: "Oh, that's what I thought you said. Thank you."

Speaker Turner: "The Lady from Cook, Representative Mulligan, for what reason do you rise?"

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

Speaker Turner: "It's getting late, but she will."

Mulligan: "Representative Feigenholtz, you'll be happy to know, I'm losing my voice. For those of you that clapped, perhaps you ought to work on this committee for a while."

Feigenholtz: "I can't..."

Mulligan: "I'm losing my voice, so it's left to *** with me."

Feigenholtz: "I wish I would lose mine."

Mulligan: "Right. The boys in the back well like to do waves and things like that, but they... most of 'em don't sit on this committee. I'd like to thank you for all the work that we did, the whole committee, in looking at the difficult cuts that the Governor's budget made, particularly in mental health which we felt were inappropriate. And that the committee worked long and hard in discussing what should be added back in. So, I

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certainly would like to thank you for that. I feel that most of these Bills will not be looked at in the Senate and that we are sending a direct message to the Governor to look around in the budget for other cuts to make definitely not to take cuts in an area that had been cut repeatedly over the last couple years and have not had increases. If people will take a good, hard look at what was added, the majority of them affect the services that we provide to people and were very difficult for us to ignore, particularly after sitting through a number of hearings. A comment that I would still like to make, once again, as this is the last Human Service budget Bill that we have tonight is I feel it's inappropriate for us to make these decisions without voting on revenue Bills. Also, it was pointed out to us repeatedly by providers that three different issues. Number one, that we may have to address the minimum wage and although we've made no comment on the minimum wage here, that if we are going to look at a minimum wage Bill after passing appropriation Bills without giving providers corresponding increases, we are increasing their pain tremendously because we are not providing for them to be able to provide services. Also, the same thing goes to about unionizing different positions. If you unionize them at a greater cost to providers without adequately adding money in to cover what the providers have to do, there's a big problem. Another issue will certainly be the amount of money that DD providers and other providers have had to pay on interest because we did not

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adequately address the backlog of bills and I think something should be done and introduced and we should collect the actual figures that providers paid in interest that we are not reimbursing them. Many of them were close to losing their institutions and they're not expected to get their bills paid 'til the end of May because the Governor and the constitutionals drag their feet about actually paying these bills. I find that to be unconscionable. And the third thing that is a really big issue here has to do with the rumor on contracts. Providers are going to be asked to sign contracts, we're understanding, that will include a 2 percent reserve that over and above the cuts that are already being provided after having not paid... have their bills paid, so that they cannot plan properly for the coming year because of these cuts. We have asked repeatedly to see what the contracts are going to be. It is my opinion that we won't find out about it until long after we're out of here and it's going to wreak havoc and a lot of the providers that we normally work with through this state, actually collapsing part of that system if we're not careful. So, I think it's interesting to note that these issues are not being addressed in this General Assembly, may not be addressed before we leave here and that this budget, although we increased it back to the issues of back to... the level of last year in many of the line items are a pittance as to what kind of hit providers in the Department of Human Services are taking. Additionally, there are available,

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currently, that are not being funded, 200 to 250 DD CILA spots, that need to be funded badly because if... you as I have in my district, have people calling you trying to place children, siblings. The only way you could get anybody placed is if you have a parent or a sibling that's dying. We did not include that and that is gonna cost us \$17 million. We are not doing the study on the funding for these spots nor are we funding them and I think it would be inappropriate not to mention it in this budget. I know it is not your fault nor the committee's because we discussed these hard decisions, but quite frankly, this budget is still inadequate to meet the needs of the people of the State of Illinois in these particular areas. And although I will vote for it particularly this Bill as amended because we spent a lot of time adding these things back in that we thought were important, we'd like to send a message that this budget needs to be improved, it is inadequate, there are discrepancies between what the Governor has proposed and what the agencies tell us and I think there's a major problem particularly in this budget line item that we should be addressing before we leave this General Assembly this year."

Speaker Turner: "The Gentleman from Cook, Representative Aguilar, for what reason do you rise?"

Aguilar: "Thank you, Mr. Speaker. I just think it's kind of ironic here that special grants were granted looking at these budget cuts. For example, the money was given into a special grant to the Futures and after School programs, the

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Vision of Hope and I've noticed that Seguin was cut. Representative, do you know what Seguin does in our community, as a whole? Are you familiar with Seguin?"

Feigenholtz: "No, Sir. What does it do?"

Aguilar: "Seguin it... trains disabled people with disabilities to become effective, productive, tax-paying citizens. And it's unfortunate to see and I mean, when I see... saw Seguin being cut for this budget, I was appalled. Seguin is a very effective organization that make... that inspires people with disabilities to become self-reliant people."

Feigenholtz: "Thank you."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Mitchell, B.: "Representative, looking through this... I'll wait. Representative Feigenholtz?"

Speaker Turner: "She's listening."

Mitchell, B.: "Representative, I know... I was looking at the add-ons and in the Governor's budget, the Governor at least made an announcement that he was going to support \$10 million... include \$10 million in his budget for the Lincoln Developmental Center. Is that correct? Was that in the Governor's budget?"

Feigenholtz: "Well, Representative Mitchell, when we had... when we had the Governor's... we had a few budgeteers from BOB at the DHS hearing and they called the director of the budget,

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the Bureau of the Budget, and we were told that the money's going to be there. So, we're assuming, it's not in there right now, but that the Governor intends on doing..."

Mitchell, B.: "I'm sorry, Representative. I can't see you. Could Representative Mathias and Osterman.. Thank You. Representative, could you repeat your answer?"

Feigenholtz: "When we were having our Human Services Committee and the question about LDC came up and we, because it was not in our... the budget that we had received, we could not find the line. We asked the Governor about it. We asked the Bureau and the Bureau told us that they intend... that it's not in there, but they intend on putting it in."

Mitchell, B.: "When are they going to put it in?"

Feigenholtz: "I don't know."

Mitchell, B.: "I guess, the Governor supports it and I do appreciate that the Governor's support of about \$10 million, is my understanding. I was... and to why the House Committee didn't put it in as their add-ons. You did have some add-ons."

Feigenholtz: "You know what, we left the Governor's choices to the Governor's Office and we had a very limited amount of money and we, to be honest with you, didn't want to use up our Chits."

Mitchell, B.: "Well, I appreciate it. I know you've worked hard on it and I served on that committee last year and I know, Representative Mulligan has done a fine job. I've just am curious and I want this on the record, is that the Governor has announced he will support and will put \$10

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million. When we leave here, hopefully, by the end of this month, that \$10 million, you're confident, that that will be in there."

Feigenholtz: "You're gonna... you're gonna need to call the Governor's Office about that, Representative. They told us, yes. It's in."

Mitchell, B.: "I was just wondering. There is no line, is my understanding, in this Bill..."

Feigenholtz: "Isn't that amazing."

Mitchell, B.: "...for the inclusion of Lincoln Developmental Center. So, it makes me... I certainly know that the Governor will keep his word, but I sure would feel a lot more confident if it was in this Bill right today. And I was curious why..."

Feigenholtz: "I appreciate that."

Mitchell, B.: "Thank you."

Feigenholtz: "Thank you."

Speaker Turner: "The Gentleman from DuPage, Representative Daniels, for what reason do you rise?"

Daniels: "To address the legislation on House Bill 3788. Mr. Speaker, Ladies and Gentlemen of the House, we've all heard from our providers throughout the State of Illinois and we've all heard their requests and yes, in certain cases, cry, for increased funding. First, I want to thank the committee for their work, particularly the chairman of the committee, Madam Chairman, who did restore some of the cuts. And I say restore some of the cuts because those of you that were here last year recall that we had a COLA

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increase in the legislation, but as a result of happenings after the budget passed, the Governor vetoed our COLA increases out. Now, I received a letter from the Ray Graham Association and the Ray Graham Association said they've had no increase in funding in the past three years and they're not alone. Every association throughout the State of Illinois has experienced the same problem. And in their letter they quote this, and I ask you to remember this, 'The worth of a society is measured by how it treats its most vulnerable members.' Children and adults with mental retardation related developmental disabilities have remarkable capacity if they are supported. You have been called upon by every child, every adult, every individual in this state that suffers from a mental illness or a developmental disability. This system, make no mistake about it, is in crisis. The last funding increase for community organizations was July, year 2000. Community organizations continue to increase services. They respond to the request and to the call for more money, but in the past five years, organizational budgets have gone from surpluses to deficits, surpluses to deficits. In the past five years, organizational cash reserves have deteriorated from 90 days working cash to less than 30 days. In the year fiscal 2002, the surveyed organizations of the ARC organizations paid over \$2.9 million in short-term interest to meet payroll. They borrowed money to meet their payroll, a responsibility that this state should have met on its own. Insurance increases in health, worker's

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compensation and liability are increasing at a rate of 16 percent and overall, we hear over time and time again about this system being in crisis. Key elements that document this crisis and call... and cry for your attention and more funding for DD and MI are a continuing increase of the average of 10 percent per year in the number of people with developmental disabilities needing services. Twenty thousand people with developmental disabilities, who are cared for at home by their parents, are projected by the University of Illinois to become the state's responsibility over the next 15 years. These are people that are your relatives, your loved ones that you may be called upon to serve and yet this state is known as one of the worst states in the country in meeting its obligation for the developmentally disabled and mentally ill. There's been no cost of living increase for three years. There's not a Member in this House that hasn't received cost of living increases in some fashion or some way over the past three years and yet, we, as the State of Illinois, shame on us for not insisting that we continue to do that. The last increase was a dollar an hour increase for direct service workers in the year 2000, July and I could go on and on and on and on. Now, all of you heard and I was proud of the address that she gave to you, my daughter, Laurie and to remind you, Laurie's 38 years old, but Laurie is one of the lucky ones. When Laurie was born, there weren't services for a multiply-handicapped, quadriplegic, nonambulatory, young individual. I had to send her out-of-state. I was

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fortunate enough to have the resources and I sent her to New Jersey until she was age 13, returned to Illinois, where a program was created for the first time in the State of Illinois by the Elim Christian School. Because she was nonambulatory, she needed special attention. Laurie spoke to you and I thought, in more glowing words in any kind of comment that I could ever make at any particular time and she thanked you. Thanked you for the opportunities you have given her and many of you and all of you do deserve those thanks because she has been blessed in many, many ways. But there are children like Laurie, there are young adults like Laurie, there are adults like Laurie that are crying for your help today. We have heard many budgets today and we'll hear many budgets tomorrow. Can you think of a single budget, of a single item, that has a greater need than to serve our most vulnerable citizens in this state? Can you think of any single time where you've heard the cries of politicians that have said, we will respond to our most vulnerable because that's our responsibility. Abraham Lincoln said it in many speeches, the hero of the Republican Party and the founder of our party, for every Republican to remember his cries and his calls. Why do I stand up today to address this budget? I address this budget 'cause it's wholly inadequate and does not meet the needs of the most vulnerable citizens of this state. And if there's any budget that needs your help and your cry and your screams for attention, this is the budget. And you cannot turn your back on the most vulnerable because they

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are your neighbors, they are your loved ones, and yes, tomorrow, could be your immediate relative calling for your help. And who takes care of them? The home health care workers. The average age, a single mother age 60 years old is the average home health care worker and we have refused to give them an increase since July of 2000. It's shameful, it's regretful and it's unfortunate. Last year, I begged Governor Ryan not to veto out the COLA increase that every Member of this House negotiated. I sat with Speaker Madigan as we asked the Governor to approve it and he said he would and then when the budget was finally sent to him, he vetoed it out. Shame on him. Shame on this administration if it doesn't stand up to correct the wrongs of the past and shame on us if we don't respond today. You must defeat this budget. Why should you defeat this budget? 'Cause you've gotta send a message that we are the people that care about our most vulnerable citizens. This is a state that will no longer stand for the inadequacies of funding for our disabled and our mentally ill. You've gotta speak up on this one budget. If you pass every other budget in the State of Illinois, this is one you've gotta say we are not gonna allow it to continue as business as usual. I implore you. I ask you. I scream out for you for every voice in this state that's mentally ill or developmentally disabled. Please, of all the budgets, say we will not allow business to be done as it has in the past. We will speak for the lo... voices of the Lauries, we will speak for the voices of your relative and we will

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stand strong for them. Please, I implore you, vote 'no' on this budget. Ask our committee to go back and do more work and don't allow it to continue in its fashion. Please, I beg you."

Speaker Turner: "The Lady from Cook, Representative Feigenholtz to close."

Feigenholtz: "Representative Daniels, I appreciate your remarks and happen to agree with you wholeheartedly and I think you know that. I think your points about prior years when we had resources in the budget to accomplish what you've just discussed and we squandered it on other things is pitiful. However, this is 2004 budget and we have a \$5 billion budget hole. We have done the best we could with this budget. We have restored the cuts that the Governor imposed, to community-based organizations for MI and DD. We have done everything we could to get every matching dollar from the Federal Government to make this budget work, considering the problems that we're having on the revenue side. And I... I just ask for an 'aye' vote. I'm working with what I was given and... but I do understand where you're coming from and I don't disagree."

Speaker Turner: "The question is, 'Shall House Bill 3788 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this issue, there are 52 voting 'aye', 58 voting 'no', 5 voting 'present'. This

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Bill, having... this Bill did not receive the... Turn on the Lady from Cook, Rep..."

Feigenholtz: "...poned Consideration."

Speaker Turner: "The Lady request the Bill be placed on Postponed Consideration. On the Order of Third Reading, we have House Bill 3789. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3789, a Bill for an Act making appropriations. Third Reading of this House Bill."

Davis, M.: "House Bill 3789 is the budget for the Office of Banks and Real Estate. \$30,872,500 other state funds. There's no change from the Governor's recommended level. Mr. Speaker, I stand ready for questions."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise? She indicates she will."

Biggins: "Thank you, Mr. Speaker. Does the Sponsor yield? I said, does the Sponsor yield?"

Speaker Turner: "I said, she does."

Biggins: "Oh, good."

Speaker Turner: "Take your time."

Biggins: "How many fee increases would you say are in this... how many fee increases are in this Bill for the appraisers and for professionals and things like that?"

Davis, M.: "The appraisal fee increase will raise 2.4 million, the examination fee will raise 14... 12.4 million, real estate 4.2 million, examination international 2.4 million, mortgage banking 1.6 million, examination EDP 1.1 million,

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corporate fiduciary regulatory .8 million, savings and loan supervisory .4 million, pawnbroker .1 million."

Biggins: "Well, my question, I think, I referred to appraisers, but could you just for example highlight what it would cost for a certified appraiser, let's say an MAI, member of the appraisal institute to renew his license or certification, whatever it is that the state provides somewhere every year? Do you know that amount?"

Davis, M.: "We don't know that and it's not in the Bill, Representative."

Biggins: "I don't see much appropriation here for legal fees and there are several legal matters still pending. Are they gonna be paid for from another source?"

Davis, M.: "The Governor feels, and the head of the agency feels, there are adequate resources to take care of legal fees."

Biggins: "Well, but I'm asking about legal fees specifically, I take it there's gonna be somewhere else we're gonna have to get them. We're not gonna pay a tax increase to the lawyers, are we?"

Davis, M.: "Well, they took a hundred thousand dollars out of the legal fees, right? They took a hundred thousand out of that and the Governor and the head of the agency feel that they can still operate adequately with the reduction in those fees."

Biggins: "Thank you."

Davis, M.: "You're welcome."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 3789 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there is 77 voting 'aye', 38 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Turner: "Req... your... State your inquiry."

Black: "Yes. After the... after the debate on the appropriation for the Department of Human Services, the Chair declared the vote... declared the vote lost. And at that time, a Motion..."

Speaker Turner: "I know."

Black: "...was made to Postponed Consideration. I believe, pursuant to Rule 55, the Motion was not made in a timely manor. Therefore, I would ask the Chair to rule that the Motion to Postponed Consideration was out of order and not valid."

Speaker Turner: "Representative, we will take that matter under advisement. I don't believe that we said lost, but we will check, we'll listen to the tape and we will take it under advisement and get back to you on that Bill. On the Order

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of Third Reading, we have House Bill 3791. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3791, a Bill for an Act making appropriations. Third Reading of this Senate... this House Bill."

Speaker Turner: "The Lady from Cook, Representative Davis."

Davis, M.: "House Bill 3791 is the budget for the Department of Financial Institutions. This agency is requesting \$9,277,300 other state funds. There is no change in this budget from the Governor's recommended level. I stand ready for questions, Mr. Speaker."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins."

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

Speaker Turner: "She indicates she will."

Biggins: "Thank you. Well, one of the big concerns I have in this budget is the fee increases that'll be charged to title insurance companies from \$1 per policy to \$3 per policy and they used to pay those on each transaction, a dollar per policy. This Bill proposes to raise those fees to \$3 and also, it used to be that a title company would only pay a total of \$20 thousand a year potential tax. This Bill, in addition to raising the fee from \$1 to \$3, increased the payment by the companies or let's say... a title insurance company has an average of a hundred thousand policies per year through its agents. In the past years, those agents or those... that company paid 20 thousand a year in tax. This proposal will increase that payment by

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that company to \$300 thousand. That's an increase from 20 thousand per year to \$300 thousand a year, increase of 1,500 percent. Now, most of the title insurers doing business in Illinois will see similar increases than... like this. There's an increased cost to the consumer from this proposal will have a negative effect on the avail... affordability of housing as most title insurance business in Illinois relates to residential real estate transactions and refinances by homeowners."

Davis, M.: "Representative..."

Biggins: "Representative, is there a chance we can get that fee increase moved out of the... this Bill?"

Davis, M.: "Representative, it isn't in this Bill. This Bill does not contain the language for the fee increase. This is not the Bill that the fee increase language is in."

Biggins: "I stand corrected. Thank you very much for bringing that..."

Davis, M.: "That's perfectly all right, Representative."

Speaker Turner: "The Gentleman from Lake, Representative Mathias, for what reason do you rise?"

Mathias: "I just wanted to make sure I heard that... Is this Bill contain anything dealing with title insurance?"

Davis, M.: "This Bill contains the budget request for the Department of Financial Institutions. It is \$9,277,300 other state funds."

Mathias: "Okay. But..."

Davis, M.: "It does not re... there's no language for anything else."

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Mathias: "There's no language for increasing title insurance or agents or anything..."

Davis, M.: "No, there is not. That is a separate Bill."

Mathias: "Okay. Thank you."

Davis, M.: "You're welcome, Representative."

Speaker Turner: "The question is, 'Shall House Bill 3791 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 76 voting 'aye', 37 voting 'no', 4 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have House Bill 3792. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3792, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 3792 is the budget for the Illinois Department of Natural Resources. The total fiscal year '04 request is \$637,674,600. The total GRF funding is \$112,406,200. Total other state and federal funds are \$525,468,400. House Amendment #1 adds 200 thousand from the Emergency Public Health Fund for mosquito disease research. This research hopefully will help curb West Nile disease. I stand ready for questions, Mr. Speaker."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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Biggins: "Thank you, Mr. Speaker. I stand ready to ask 'em. Will she yield?"

Speaker Turner: "She said she will."

Biggins: "Okay. This one's comin' right at you, Representative. Two hundred thousand is in this for the study the West Nile virus?"

Davis, M.: "Two hundred thousand... yes. Mosquito disease research."

Biggins: "And I think another part of the budget and Representative Eileen Lyons was telling me today that there's a provision for \$3 million to study the same disease for another agency. I know that's not under your purview at the moment, but I just... John Lowder's kinda like recognizing it. Why are... can't we settle this and put 'em all in like... I hate to have the same mosquito being examined by two different agencies, you know. That... that's gonna be rough on those mosquitoes. About time we... somebody thought about them once in a while instead of all this stuff about us."

Davis, M.: "Representative, the surveys in DNR do this work. This is what they do. I think, in the other one we were dealing with tires and standing water in those tires and cutting up the tires and public health grants. This will be for the research and testing of the spread of the West Nile disease."

Biggins: "Well, okay. Who's the director of this agency, please?"

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Davis, M.: "The director is someone you guys know and love, Representative... former Representative Joel Brunsvold who was..."

Biggins: "Oh, the gun... the NRA guy?"

Davis, M.: "Yes. We do..."

Biggins: "I have no further questions."

Davis, M.: "Thank you."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt, for what reason do you rise?"

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

Davis, M.: "Yes."

Speaker Turner: "Yes, she will."

Moffitt: "Thank you, Representative. What's the proposed budget? How does it compare to the current budget? What's the change, overall?"

Davis, M.: "It's a reduction of 9 percent in their budget from last year."

Moffitt: "Under the proposed funding, do all the parks that we have today, will they remain open?"

Davis, M.: "Yes, they will."

Moffitt: "Will the funding for... the continued funding for like open lands trusts, all those programs, they will continue. Is that correct? And is there any funding for them?"

Davis, M.: "They will continue, Representative, but perhaps not at the level they were in 2003."

Moffitt: "So, that... that's actually a reduction in those?"

Davis, M.: "There will be a slight reduction, yes."

Moffitt: "And do you know how much that is?"

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Davis, M.: "Yes, we do know. There... there are reductions, Representative, and we're looking to see exactly which ones they are, but some of them are, you know, we did do some reductions."

Moffitt: "Thank you. Appreciate your effort."

Davis, M.: "Representative Moffitt, there is a reduction of 31 million for the open land... let's see, for the open land trust program. And I hope that answers your question."

Moffitt: "Does this allow us to meet all the commitments that we have made or that are pending under open lands trust?"

Davis, M.: "As far as we know, it does. The department has not said that they can't... you're not, maybe, on the committee, but when Representative Joel Brunsvold came before our committee, he was quite sure that he could continue with the majority of the services that were being provided with the fiscal request for fiscal year '04."

Moffitt: "Thank you, Representative."

Davis, M.: "You're welcome."

Speaker Turner: "The Gentleman from Tazewell, Representative Som... Sommer."

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

Speaker Turner: "She indicates she will."

Sommer: "First of all, Chairman Davis, I would like to take this opportunity to thank you for the way you've conducted general services appropriations this year and you've been most open and indulgent of all of our questions. I do have a question as a follow-up to some of the questions I raised with some of the agencies in the past week regarding fund

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transfers. And it was brought to our attention by Director Brunsvold that transfers, I believe, in the amount of \$8 million may impact federal funding in the area of fisheries and wildlife to the tune of 10 to 15 million dollars and the department said they would get back to us on that. Have you heard anything about that?"

Davis, M.: "I have not received a response, but did he promise us a response on that?"

Sommer: "Yes."

Davis, M.: "If he did, you know, it may be on my desk. I have to admit, I have a pile of work that I have not gotten to and I apologize for that."

Sommer: "Oh, I'm not..."

Davis, M.: "So, he... he might have responded and I always ask the agencies to respond to all Members."

Sommer: "Yes, you do."

Davis, M.: "So, if you haven't gotten it, then maybe I haven't gotten it either. But I'm sure we can have it from Joel by tomorrow."

Sommer: "I'm not being critical in any way of you, Chairman Davis, but I have asked probably six or seven of these agencies these questions about these fund transfers and how it might impact the services. And my comments to them would... it's difficult to make these budget votes when we don't have that... those questions answered."

Davis, M.: "Representative, I appreciate your question. The question you just asked does not affect this budget. The 8 million..."

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Sommer: "Well, it... it does if the Federal Government turns around and as the agency told me, they could lose 10 to 15 million dollars and therefore, have a closure of fisheries and wildlife areas in the state."

Davis, M.: "We're appropriating a large enough amount, Representative Sommer, and we're assuming that those federal funds will not be cut."

Sommer: "So..."

Davis, M.: "Joel Brunsvold was comfortable with the fiscal request by the Governor, so we're sticking with that."

Sommer: "I don't mean to be argumentative."

Davis, M.: "No, you aren't, ever. Don't worry about it."

Sommer: "But I would think that, if we're gonna lose 10 to 15 million dollars, that there is not a cushion like that in the... in the appropriation. And the statement from the department at that time was if that does happen, fishery and wildlife areas, not state parks, but some of those areas in our counties may have to close and that's why I brought it up this evening. So, hopefully, next year when we go through this process, we get those answers prior to these budget votes coming up. And that's why I'll have to vote 'no' on this budget because I don't have that answer."

Davis, M.: "Representative, the statement we have from the agency is as follows. The recommended fiscal year '04 budget will enable the department to keep all parks and facilities open. In addition, the department will continue to focus on public safety and the protection of the state's

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natural resources by hiring additional conservation police officers. You know..."

Sommer: "I know the director will do a great job and accomplish all those things that he can, but I am concerned about that area. Thank you."

Davis, M.: "Thank you, Representative."

Speaker Turner: "The Lady from Peoria, Representative Slone, for what reason do you rise?"

Slone: "Thank you, Mr. Speaker."

Speaker Turner: "She indicates she will."

Slone: "Thank you. Representative Davis, I'm sorry I didn't hear your whole answer with regards to open lands trust. Did you say there's 31 million left in the program or there's 31 million cut from the program?"

Davis, M.: "The recommended fiscal year '04 budget reduces the reduction of 31 million for the open land trust program."

Slone: "Okay. And this budget Bill does not restore any of that. Is that right?"

Davis, M.: "That still leaves some... couple of million. Pardon?"

Slone: "Okay. The other question I have is with respect to the museum grant program which was also cut. Can you tell me... I think that was 30 or 40 million last year. Can you tell me how much is in this Bill for that program?"

Davis, M.: "It was cut \$31 million. It was cut... That program was cut, Repre... Representative Slone, by \$31 million."

Slone: "From... 40 million to 9 million. Is that right?"

Davis, M.: "Pardon?"

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Slone: "From \$40 million last fiscal year to \$9 million this fiscal year?"

Davis, M.: "Yes."

Slone: "Yikes. Okay. Thank you very much, Representative Davis."

Davis, M.: "You're welcome."

Slone: "Thank you."

Speaker Turner: "The question is, 'Shall House Bill 3792 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk should take the record. On this question, there is 79 voting 'yes', 37 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Black, in regards to your inquiry on House Bill 3788. The Clerk has reviewed the tape and it... it... in listening to the tape, it was determined that the move to move this Bill to Postponed Consideration was in order and that, in fact, I did not declare the Bill lost."

Black: "What?"

Speaker Turner: "That's right."

Black: "You're absolutely right, Mr. Speaker."

Speaker Turner: "Thank you, Representative."

Black: "I just... I... I just wanted to make sure that everybody's awake. Mr. Speaker, I thank you for the opportunity to go up and listen to the transcript. That new system, I think, will stop many of the arguments we've had in the past on

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this. You are right. I appreciate you considering my request. I did listen to the transcript. Mr. Speaker, you were within one word of being... of making my Motion valid. But you didn't say the magic word. I don't know who saved you, but I assume you're gonna buy their dinner."

Speaker Turner: "Let me see..."

Black: "Mr. Speaker, I do appreciate the fact that our request was taken seriously. We were given a chance to listen to the transcript. The new system, I think, will prevent many of the disagreements and arguments we've had in the past. I thank you for your indulgence."

Speaker Turner: "Thank you, Representative. And as a... as a downstater you know... as a downstater you know that close counts in horseshoes only. On the Order of Third Reading, we have House Bill 3793. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3793, a Bill for an Act making appropriations. Third Reading of this House Bill."

Davis, M.: "Mr. Speaker, House Bill 3792... Oh, I'm sorry, 93. The Department of Insurance has a request. The Department of Insurance request \$34,420,200 other state funds. And this is... reflects no change from the Governor's recommended level. I stand ready to answer questions, Mr. Speaker."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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

Speaker Turner: "She said she will."

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Biggins: "Now, the Department of Insurance has now inherited the CHIP Program in this bu... proposed budget. Is that right?"

Davis, M.: "Right."

Biggins: "And that's about \$30 million, is it?"

Davis, M.: "I'm sorry. I didn't hear you."

Biggins: "It's about a \$30 million inheritance. A nice inheritance. Well, do you agree that doing that, that's about \$30 million more for FY04."

Davis, M.: "Are you asking about the CHIP budget?"

Biggins: "Yeah."

Davis, M.: "The CHIP budget is not in this budget. The is just the Department of Insurance's budget."

Biggins: "Thank you. I'm done."

Speaker Turner: "The question is, 'Shall House Bill 3793 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there's 80 voting 'aye', 36 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Now, on the Order of Third Reading, we have House Bill 3795. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3795, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Davis."

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Davis, M.: "House Bill 3795, Mr. Speaker, is the Department of Revenue Property Tax Appeal Board's fiscal year '04 budget request. The total appropriation under the Department of Revenue which includes racing board, liquor control commission and the lottery is \$1,118,005,900. The total GRF under the Department of Revenue is \$144,724,900. Total other funds under the Department of Revenue 973,284,000. All funding represents no change from the Governor's plan. The Department of Revenue includes gaming board and housing development authority. The total appropriation is 765,388,000. GRF funds are 144,721,900. Other funds \$620,666,100. From the racing board, the total appropriation is \$7,552,800 in other state funds. The liquor control commission, total appropriation is \$5,825,600 in other state funds. The lottery total appropriation is \$339,239,500 in other state funds. Property tax appeal board, total appropriation 1,862,000. All funding is General Revenue funds for the property tax appeal board. Mr. Speaker, I stand ready to answer questions."

Speaker Turner: "Seeing no questions, the question is 'Shall House Bill 3795 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this Bill, there's 73 'ayes', 42 'noes', 2 'presents'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. And on the Order of Third Reading, we have House Bill 3796. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3796, a Bill for an Act regarding appropriations. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative..."

Davis, M.: "Thank you, Mr. Speaker. House Bill 3796 is the appropriation for our Attorney General. The total for fiscal year '04 request for the Attorney General is \$65,987,500. General Revenue Funds is 40,710,000. Other \$25,277,500. This represents no change from the Governor's recommended level. Mr. Speaker, I stand ready to answer questions."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Biggins: "Representative, I want to thank you for the way you've handled all of our questions this evening and throughout the... the season, shall we say, in the appropriations general services and the way you've comported yourself tonight is a prime, good example for all of our... us Members to follow. So, have a nice evening. I'm done."

Davis, M.: "May I respond? I really appreciate working with you, as a Minority spokesperson, in the General Service-Appropriation Committee and I hope you are just like me, Representative, when I stood up..."

Biggins: "Hungry?"

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Davis, M.: "...here, I couldn't button this jacket, but now I can button it."

Speaker Turner: "The question is, 'Shall House Bill 3796 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? This is the last appropriation Bill. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 88 'ayes', 29 'noes'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. By prior arrangement with the Minority Party, I would move to waive the posting requirements on House Bills 142 and 144, so that they can be heard in the Gaming Committee which should be posted for tomorrow morning at 8 a.m. in Room 114. This would enable us to cancel the Gaming Committee hearing that's scheduled for this evening."

Speaker Turner: "You've all heard the Gentleman's Motion. Is there leave for the Motion? Is there leave? Leave is granted and the Motion is declared passed... adopted. The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "Well, first, for an announcement. Tomorrow's Revenue Committee which was scheduled at 9:00 will unfortunately be canceled. So, thank you. Also, I have a Motion to waive posting requirements, but I forgot the Bill number. I would..."

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Speaker Turner: "Leave is granted."

Molaro: "No. But..."

Speaker Turner: "No. Fine. Senate Bill 833."

Molaro: "That's exactly it. Senate Bill 83... 833. I've talked to Rep..."

Speaker Turner: "The Gentleman..."

Molaro: "...talked to Representative Black and also, Minority spokesman, Representative Beaubien."

Speaker Turner: "The Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Now, I can't turn my light off. I couldn't turn it on a little while ago, now I can't turn it off. I... it was cleared..."

Speaker Turner: "We can turn you off."

Parke: "I was told that... I was told it was cleared. It's fine."

Speaker Turner: "You've heard the Gentleman's Motion. Is there leave for the Motion to... Leave is granted and the Motion is adopted. The Lady from Cook, Representative Feigenholtz, on Senate Bill 1418. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1418, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 1418 is a Bill that we've heard a lot about not only from the steel workers, the AFL-CIO, the dieticians, the Illinois State Medical Society, but a lot of sports organizations and our U.S. Senator Dick Durbin and Ray LaHood about banning the sale of ephedra. Yesterday, the Governor, as everyone

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knows likely, had a press conference to encourage us to pass this Bill. Sitting up in the gallery is the... is Kevin Riggins who is... what I consider the hero of this Bill. Kevin and his wife, Debbie, lost their son Sean on September 3 from ephedra. I would be glad to answer any questions."

Speaker Turner: "The Gentleman from McLean, Representative Brady, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Brady: "I, too, stand in support of this particular Bill with Mr. and Mrs. Riggins who have, in memory of their son, been on this crusade. I first met Mr. Riggins in October of last year and began working on what now is before us of the ephedra ban Bill. I won't go through all the facts that I have here, but simply the fact of the matter is, is that this product... this particular chemical affects the cardiovascular system by increasing the heart rate. It then acts as a vasal constrictor which means that it constricts the blood vessels while at the same time causing the heart to pump at a very increased rate. It's a very dangerous supplement that is out there that is not banned in any way in this state. Our youth that are receiving this through products called 'yellow jackets' and other things that are used for a quick pick-me-uppers and highs. And I just stopped in Bloomington the other day went into a gas station where all the youth are picking up these

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particular 'yellow jackets' and other similar type of pills, very unrestricted and they don't know the harm that they are doing. So, I certainly stand in support of this. I want to thank the Riggins family for bringing this forward on behalf and in memory of their son. And I ask for a 'yes' vote. Thank you."

Speaker Turner: "The Gentleman from Champaign, Representative... the Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I have a constituent that came here to testify and this is not a situation... ephedra is not a situation that affects the weak of heart. I... my constituent was a Coles County Deputy Sheriff and she took eight packets over the course of ten days, eight dietary supplements over the course of ten days. And the last one of those, she went to bed and doesn't remember anything for the next three weeks. She seized. Thankfully, she had relatives at home and got her to the hospital. The emergency room pumped more antidote into her than anyone else that ever actually lived. Everyone else using the serum, the antidote serum, died. This is not something, Ladies and Gentlemen, that we need in this state that we need readily available to anyone. It's dangerous, dangerous stuff. I would like to support strongly this Bill. Thank Sara Feigenholtz for bringing this forward and thank Kevin Riggins, too. And I'm just sorry that you had to go through this to bring this to our attention. Thank you."

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Speaker Turner: "The Lady from Cook, Representative Flowers, for what reason do you rise?"

Flowers: "Thank you, Mr. Speaker. To the Bill. I, too, would like to take this opportunity to thank the Sponsor for bringing this important piece of legislation before us, but I would appreciate if we could have some consistency in what we do here. The Bill... the ephedrine was legal in this state prior to the Governor and prior to the passage of this Bill. There are other illegal drugs out there that should be banned. This Body should not be in the business of making it easy for people to get drugs that can kill them, legal or illegal. And once again, Representative, I would like to congratulate you and my condolences go to the family in regards to the death of their son. Thank you."

Speaker Turner: "Representative Feigenholtz to close."

Feigenholtz: "Ladies and Gentlemen, the real heroes in this story are Kevin and Debbie Riggins. They didn't need to take on this cause. They lost their son. They could have gone home, mourned and grieved his death, but instead, what they did was, they chose to make this an issue. The Riggins' are an army unto themselves in trying to send a message to the people in the State of Illinois that if we put products on the shelf the public believes that they are safe. This is not the case with ephedra. This is landmark legislation. It sends a strong message to the FDA and to Tommy Thompson, two entities dragging their feet on banning this product and looking in it as 'legal speed'. I encourage you to vote 'aye' for this Bill because these

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wonderful people have dedicated their lives to save the children and the people of this state and to protect them from this terrible, terrible supplement. I encourage an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 1418 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? This Bill, having rece... Clerk shall take the record. This Bill, having received 117 'ayes', 0 'noes', 0 'presents' will... having received the Constitutional Majority, is hereby declared passed. Hold on, hold on. For the Members, we're going to now go to Supplemental Calendar #1 where we're gonna move some Bills, appropriation Bills, that came out of committee earlier today from Second to Third. I will be reading those from the Chair here. For Members information, we will be coming in Session tomorrow morning at 10:00. And so, between now and 10... we will... we will be reading these Bills from Second to Third. I just want to let Members know what time they have to be here in the morning. You don't have to sit here while I continue to read the Bills for the rest of the evening. But 10:00 tomorrow morning is the official time tomorrow. Mr. Clerk, on the Order of Second Reading, we have House Bill 2289."

Clerk Bolin: "House Bill 2289, a Bill for an Act making appropriations. Second Reading of this House Bill.

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Amendment #1 was adopted in committee. No Floor Amendments. No Motions Filed."

Speaker Turner: "Third Reading. On the Order... Mr. Clerk, House Bill 3726. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3726, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments have been adopted. No Floor Motions... no Floor Amendments have been filed. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3727. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3727, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3728. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3728, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3729. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3729, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3730."

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Clerk Bolin: "House Bill 3730, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3731. Read the Bill."

Clerk Bolin: "House Bill 3731, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3732. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3732, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3733. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3733, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3734. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3734, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Read the Bill... House Bill 373... Third Reading.
House Bill 3735. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3735, a Bill for an Act making
appropriations. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. House Bill 3736. Read the
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3736, a Bill for an Act making
appropriations. Second Reading of this House Bill.
Amendment #1 was adopted in committee. No Floor
Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3737. Read the
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3737, a Bill for an Act making
appropriations. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. House Bill 3738. Read the
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3738, a Bill for an Act making
appropriations. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed."

Speaker Turner: "Third Reading. House Bill 3739. Read the
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3739, a Bill for an Act making
appropriations. Second Reading of this House Bill.

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Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3741. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3741, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3749. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3749, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3750. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3750, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3752. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3752, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3755. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3755, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3756. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3756, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3758. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3758, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3760. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3760, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3761. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3761, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. House Bill 3762. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3762, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3763. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3763, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3765. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3765, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 in committee was tabled. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3769. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3769, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3773. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3773, a Bill for an Act making appropriations. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3778. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3778, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3779. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3779, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3790. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3790, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 3794. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3794, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Senate Bill 1216. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1216, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 1218. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1218, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House (sic-Senate) Bill 1231. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1231, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 1233. Read the Bill, Mr. Clerk. I'm sorry. Senate Bill 1233. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1233, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 1239. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 1239, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 1243. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1243, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "All right. The Bill will remain on Second. House Bill 1248. Read the Bill, Mr. Clerk. Senate Bill 1248. I apologize."

Clerk Bolin: "Senate Bill 1248, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Senate Bill 1258. Read the Bill, Mr. Clerk. Hold that Bill on Second, 1248, Mr. Clerk. Senate Bill 1258. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1258, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. Senate Bill 1264. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1264, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. Senate Bill 1266. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1266, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold that Bill on Second. Senate Bill 1293. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1293, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold that Bill on Second. Senate Bill 1303. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1303, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill on Second. Senate Bill 1316. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1316, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold it on Third (sic-Second) Reading. Senate Bill 1319. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 1319, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold it on Second Reading. Lisa, thank you. No further Bills on the Calendar. And allowing perfunctory time for the Clerk, Representative Giles moves that the House stand adjourned until 10:00 a.m. on Friday, May 16, 2003. The House does stand adjourned 'til tomorrow."

Clerk Bolin: "The House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 305, offered by Representative Lang. House Resolution 306, offered by Representative Kurtz. House Resolution 307, offered by Representative Feigenholtz. And House Resolution 309, offered by Representative Parke. These Resolutions are referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."