

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

153rd Legislative Day

7/1/2004

Speaker Madigan: "The House shall come to order. Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off cell phones, pagers and laptop computers. And we ask for the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. Today we shall be led in prayer by Fred Robinson who's a member of the Saint Katherine Drexel Parish Church in Springfield, Illinois."

Mr. Robinson: "Almighty God, we thank You for letting us assemble here today. May Your word and will be this Legislative Sessions guide and may all of us cling to it even when we find it difficult to obey. We know that You have called the Representatives before us today and that this is their appointed time to step up and step forward in planning and developing laws and budgets in the best interests for all Illinois citizens. Lead Your chosen leaders through this new place and this new time in history. Let Your Holy Spirit accompany them as they continue this journey. Grant them the wisdom and steadfastness of heart, knowledge and intelligence and help them take the right road even though it is sometimes hard and lonesome. Finally God, let us walk in Your light. Remind us that when we lose sight of You, we lose our way. Amen."

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

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

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

Speaker Madigan: "Again, only punch your own button. Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Mr. Speaker. Please let the record show that Representatives Rich Bradley, Hamos, Jones and Molaro are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect Representative Winters, Sommer, Schmitz, Bassi, and Mathias are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 106 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were referred, action taken on Thursday, July 01, 2004, reported the same back with the following recommendation/s: 'approved for floor for consideration' Amendment #1 to Senate Bill 2213, Amendment #1 to Senate Bill 3361. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Thursday, July 01, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 7307; 'recommends be adopted' House Resolution 1064."

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Speaker Madigan: "Page 4 of the Calendar, there appears on the Order of Senate Bills-Third Reading, Senate Bill 2258, 2258. Representative Currie. Currie... Representative Currie on Senate Bill 2258. Mr. Clerk, read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2258, a Bill for an Act concerning public bodies. Third Reading of this Senate Bill."

Currie: "Thank you, Speaker and Members of the House. This is a Bill we discussed in its Amendment stage yesterday. It provides two things. First, for home equity commissions, commissioners may serve more than two consecutive terms if appointed by the mayor. Second, people can access the meat of the program after... 3 years after the initial 5-year period and at 3-year intervals after that. I'd be happy to answer your questions and I'd appreciate your support for passage of Senate Bill 2258."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker. Since we have lots of time I think I'd just like to ask a couple questions about the issue... the issue before us. So, if the speaker will yield."

Speaker Madigan: "The Sponsor yields."

Parke: "Yes, Representative, why is this necessary? What are we... what are we trying to achieve by your legislation?"

Currie: "I think we're trying to achieve, first of all, is making sure that these home equity commissions are stable, community-oriented operations and second, to permit people

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to access the value of the program at a somewhat shorter interval than they are allowed to do under current statute."

Parke: "And.. and how.. how does that help these people? How do... Why do we want to shorten it? Why... why isn't it adequate the way it is?"

Currie: "I think the experience has been that it would not harm the goals of the program to enable people to access the program at a slightly shorter interval than is true today. We did discuss this at length yesterday, Representative Parke. I hope you were listening."

Parke: "Well, but of course, but I still think the Body needs to be reminded of what this legislation is. Why is this only for Chicago?"

Currie: "My recollection is that the statute that we are amending applies only in the City of Chicago. If you would like to offer another Bill that would extend this kind of program statewide, I, for one, would be happy to support you."

Parke: "Well, that's great. I appreciate that, but I just find it always a bother that one segment of our... of our great state tends to have favorable legislation at the exclusion of other parts of the state. And as much as this is a good program for Chicago, then it ought to be a good program for the whole state and should've been part of the initial legislation. I'm gonna support the Lady's legislation but it just continues to bother a lot of us in this chamber that we continue to have legislation that favors Chicago

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and does not take into consideration the advantages that it offers those citizens, to all the citizens in the State of Illinois. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 100 people... On this question, there are 99 people voting 'yes', 9 people voting 'no'. This Bill, having received a Constitutional Supermajority, is hereby declared passed. On page 8 of the Calendar, on the Order of Senate Bill-Second Reading, there appears Senate Bill 3361. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 3361, has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "3361."

Clerk Mahoney: "Senate Bill 3361 has been read a second time, previously. Floor Amendment #1, offered by Representative Madigan, has been approved for consideration."

Speaker Madigan: "On the Amendment, the Chair recognizes Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This Amendment is the spending part of the core budget proposal, the temporary budget, that we'd like to adopt and pass to keep the State Government open. It's probably... I could debate it now or on Third Reading. So, I would ask that we adopt the Amendment and then we would debate the Bill."

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Speaker Madigan: "The Gentleman moves for the passage... the Gentleman moves for the adoption of the Amendment. On that question, the Chair recognizes Mr. Colvin."

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

Speaker Madigan: "Sponsor yields."

Colvin: "Mr... Mr. Hannig. I wanted to ask you a question about... In Public Safety this morning and where we had a subject matter conversation with respect to the Department of Corrections budget, where the Cook County Juvenile Detention Center and a number of other programs that are typically funded through Public Safety in the Corrections budget were zeroed out. And in... in specific there is a \$8½ million appropriation that goes to the Cook County Juvenile Detention Center and the boot camp that has been zeroed out. In... in effect, is that correct, first of all? That's not included in the... in the core services budget?"

Hannig: "Yes, Representative. I point out that it was not included in the Governor's '05 proposal that... that he gave to us. But we are actually suggesting that we'd like to see it in the '05 budget in its final form. That's an issue under consideration for the final '05 budget. But the core service budget, the budget that's just im... necessary to keep the doors open for the State of Illinois for this year, does not have that item."

Colvin: "I... I understand it wasn't in the... in the Governor's introduced budget. I believe in the Public Safety

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Appropriations, it was negotiated back into the package and ended up in the final budget package. Is that correct?"

Hannig: "That's correct and we're still carrying it as an item that we're trying to get. And I would point out that we do carry it in this core service budget even at zero. And the significance is that we could ask the agency, the Department of Corrections, to use their transferability to drive money into that line and actually make the payments for at least 112 or at least some payments as the boot camp could show the... the need."

Colvin: "Could you... could you repeat that part? You just said that so... so that even though it's zeroed out..."

Hannig: "So the fact... so the fact that there's a line that exists in the budget is important, even if the amount is zero, because there is a 4 percent transferability that exists be... within a budget. Now, the Department of Corrections is a billion dollar budget, so that's 4 percent of a pretty big number. That agency at the discretion of the... of the director and working with the office of... the Governor's Office of Management and Budget and the Governor's Office could drive up to 4 percent of their budget into that line and make payments."

Colvin: "It could drive up to 4 percent. It could."

Hannig: "Yes, so we're trying... we're... well, they would have to make the case, Representative. And the truth is, that even if we put money into that budget, we can't necessarily compel the agency to spend the money."

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Colvin: "I appreciate that and particularly the flexibility...
the ability to have the flexibility..."

Hannig: "Right."

Colvin: "...to dir... to direct dollars to the Cook County Juvenile
Detention Center and boot camp."

Hannig: "So... so if they... so if they can make the case to the
agency, there would be a way that they could get money
under this core budget."

Colvin: "Because the real concern there is is that \$8½ million,
while it's in the... in the form of a grant that comes from
the State of Illinois to Cook County, quite frankly, Cook
County uses those dollars as the operational cost to run
those facilities. And the fear there is, if those dollars
aren't transferred to the Cook County Juvenile Detention
Center and the boot camp that, in effect, they would not be
able to pay their staff which will result in layoffs and
the possible transfer of a lot of those youthful offenders
to the regular Cook County Jail. And I think that's a
great concern to many of us who come from the City of
Chicago, who would not like to see what happened in the
past, prior to this grant line being put in the budget in
the first place, where we had far too many youthful
offenders who had to be put into general population at Cook
County Jail where it created a very unsafe situation for a
lot of youthful offenders. And once again, being construed
as a grant program when on the other end it's obstilu... it's
actually operational dollars. Cook County sets their
fiscal budget at December 1. And those dollars are, I

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guess, counted as part of their... their year's operational cost, which in effect is gonna leave a glaring hole if, in fact, those dollars don't come from the state to Cook County. And... and that's a little bit of a concern. But moving on from there, as I understand this and please correct me if I'm wrong, that what we're doing is is 1-year's appropriation with a 30-day..."

Hannig: "Sunset."

Colvin: "Thir... sunset provision. At the end of those 30 days, given that we have no budget agreement in place, what would happen at that point? Would we come back here and do another 30 days and go to August 1, excuse me, September 1? Or what would be the process, given that there'd be no budget agreement at the end of the next 31 days?"

Hannig: "Well, Representative, I think the record for overtime is July 19. So we hope we don't set a new record this year. But I... but I suppose if we... if we did that would be the kind of process we would look at at the end July."

Colvin: "So, at that point, again, Cook County Juvenile Detention Center, all these other programs that use state dollars for operational costs... I mean, we're talking about the State of Illinois's operational costs and that's fine. An... and as a State Representative I think that's principal among for all of us. But what's construed, I think what... I think what we kinda losing sight is is how so many other agencies, government agencies around the State of Illinois, use state dollars for operational costs that have been zeroed out in a core services budget. So, given that,

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given that perspective along with only a 4 percent reserve, how will all these different organizations be... particularly governmental organizations, be able to function when there just won't be enough dollars to spread around given a 4 percent reserve or it may be even a 10 percent reserve."

Hannig: "Well, Representative, we believe that this will allow the State of Illinois to... to keep the lights on, to provide that state employees who show up every day and do the job that their supposed to do, that they can get paid on time, that we can provide for the... the safety net that you and I and the State of Illinois has for... for unfortunately people who are... who are disadvantaged and who rely on state services to maybe just get through the next month. So, we're trying to provide those basic needs to... to the people of the State of Illinois. This is not a final budget, Representative, and I'm not suggesting that... that this is. There is a lot of negotiation that continues to go on as we strive to find a final budget for '05 and hopefully, we can address many of your concerns in the final budget. But this is an effort to try to address the core services of what State Government is about and to ke... and to keep the lights on in State Government."

Colvin: "Representative Hannig, I couldn't agree with you more. And I guess the only thing going one step further in what you're saying in all of this, is that... just so that I understand and my colleagues understand, is that what's construed as maybe a grant program or a lot of other... or line items that are in this budget that have been zeroed

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out for other agencies... other governmental agencies in the State of Illinois where the dollars that they get from the state are considered operational as well that won't be receiving those dollars, their losses... their lights are gonna be shut off in effect. And I think if we're talking about core services for government operations, are we just... obviously we're just talking about state operations and not counties and cities. And as you look through this budget, the core services budget and look at what's included, I think what's most glaring is that is what is not included. And I think the Cook County Juvenile Detention Center is just part and parcel of that particular predicament. But on the issue of the 30 day renewable, so, just so it's clear to me that if we do not have a budget agreement come the 31 of July, we would... I guess at some point prior to the 31 come back here and do another appropriation for another 30 days or the 31 days of August. Is that correct? I mean that would be... that's a scenario that could take place."

Hannig: "I would assume that we... if we're still deadlocked at the end of July that we would do some additional core service type of budget, Representative. I can't see us not providing for costs of State Government."

Colvin: "Okay. Thank you, Representative."

Speaker Madigan: "Ladies and Gentlemen, if I could have your attention. I think everyone knows that this is a Bill that would provide for 30 days of appropriation authority. This is a Bill that would provide for a 30-day budget. The

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matter is on the Order of Standard Debate. We've now had two people speak and we'll have Mr. Hoffman, Mr. Stephens, Representative Mulligan, Mitchell and Giles. And Black, he couldn't resist that temptation. Mr. Hoffman.

Hoffman: "Thank you, Mr. Speaker."

Speaker Madigan: "Please remain silent for Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Let me just say that I would like to compliment the staff... the appropriations staff for the work that they have done putting this budget together. They have done a yeoman's work. Having said that, I would... I would also just like to say as you know as the speaker indicated, this is a temporary measure. This is only for 30 days, this is to avoid a government shutdown. We don't believe and I don't believe that we should be using state employees in order to get a final budget. So on this core budget that is before us, although not having seen all the specifics, I trust the Speaker, I trust the appropriations staff, I certainly trust John Lowder who indicates to me that it is indeed a core budget and nothing more. And I trust the intent of the Speaker and the intent of the individuals that we're going to... in good faith continue to move forward to get a year-long budget that's going to make sure that we all meet the priorities we think are important. So with that, understanding the problems of the previous speaker, I believe that we should vote for this core budget and avoid a government shutdown. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Stephens."

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Stephens: "Thank you, Mr. Speaker. Gentleman yield?"

Speaker Madigan: "Sponsor yields."

Stephens: "Representative Hannig, this is a 1-month budget in most cases, but the Department of Corrections is an... a notable exception to that, is that right?"

Hannig: "No, Representative, there's a 1-month appropriation limit on the Department of Corrections, as well."

Stephens: "I understand."

Hannig: "It's... It's... It's a 12-month budget but it sunsets after 1 month."

Stephens: "But the total dollars in the Bill... in the Bill... or in your Amendment for the department are 1.17 billion, is that right?"

Hannig: "And that's... that's an annual amount. One point..."

Stephens: "I understand and the authority to spend that money ends at the end of this month."

Hannig: "That's correct, Representative."

Stephens: "My point is, as you know, I'm very interested in Vandalia Correctional Center, and in... in the Amendment under Vandalia Correctional Center the total appropriation's \$32,752,900. If we continue to operate for 12 months, that entire appropriation is meant to be spent, isn't it?"

Hannig: "Yes... yes, that's the 12-month appropriation for Vandalia, roughly."

Stephens: "Well, thank you, Rep... I want to add my congratulations to you and your staff and to the Speaker not only for taking a leap in the overall process but in

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keep... keeping state institutions open which is I know is something is important to both of you. I dearly appreciate it."

Speaker Madigan: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I, too, would like to support a 1-month budget so we don't shut government down. And I appreciate the way we're going about it as opposed to how the Senate's going about it because there's a lot more leeway there. But I have to make a statement on the record because as each day has gone by in the fee-for-service area we are having a whole lot of trouble. And before we finish a budget on human services, particularly Department of Human Services, I wanna see some changes made. I would not want to put in jeopardy all the work we've done, in particularly all the work that Representative Currie has done recently on the mem... memo of under... understanding or the many memos that we've done. But it appears that as each day goes by, the department has let contracts that are inappropriate, at best inept, at worst duplicitous, over what they told us they were going to do and to get around what's going to happen with Fee-For-Service and any memos that we have. There needs to be more extensive meetings with them before we consider their budget. And I wish Members that were concerned about not giving them full money would take into consideration what is currently going on with the inappropriate contracts that've been let that were specifically lied to to people and... and are not being resolved. I am going to ask the department for a list of

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every contract that has been let and I want a memo to go out to each of those people to find out if they have a problem. Many of these providers sign contracts which they feel were under duress and are inappropriate. And something needs to be done about that before we move forward. Of all the hours we have spent on this issue, much of which were through the Speaker's ability to call the Fee-For-Service Committee, you know, as Minority Spokesman of Human Services Appropriations, what Representative Currie and I've been working on the past weeks, it appears that the department is going around this and doing things that they should not be doing. And I would wish that the Members would take a good, hard look while we have this time at what is happening in that department. It is totally inappropriate and we are not gonna stand for it."

Speaker Madigan: "Mr. Jerry Mitchell."

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

Speaker Madigan: "Sponsor yields."

Mitchell, J.: "Representative Hannig, the core budget for Elementary & Secondary Ed really has no reflection on any of the negotiations that we've... we've done up to this date or may continue on, is that correct?"

Hannig: "Yes, Representative, the whole issue of funding for our K through 12 is... is part of the debate that's holding up the agreement on the final budget."

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Mitchell, J.: "And the... the Members should understand basically that it doesn't look like a whole lot of money for education in there but it's simply isn't because general state aid is not a part of this core budget simply because with school out we're only insuring that those individuals that work in central administration, those individuals that are noncertificated but on the payroll and working throughout the summer, these are the types of services that we must continue so that we will be ready to open school in the fall as usual."

Hannig: "Yeah, Rep... Representative, that's exactly correct. In fact, the... my... my staff indicates that August 10 would be the next general state aid payment for example. So hopefully, we'll have this resolved by then."

Mitchell, J.: "So... so at that time, if... if we... worst comes worst and we have that scenario then we'll certainly look at some... some core budget money that would address the needs of general state aid. At the same time, we do have money in here for summer bridges, for those summertime operations that school districts were hoping to have. I... I, again, I, too, want to commend the staff for looking at this thing very carefully. If we, in fact, just did as the Senate did in their version and divided the '94 budget by 12, I'm afraid school districts would get a real skewed look at what kind of money they may expect in the next year. And if they spent that money, they may bind... wind up in dire straits down the road. I think it's important that we... we get the core budget passed so that those people that

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are all working can continue to work as we continue the negotiations. Thank you."

Speaker Madigan: "Mr. Giles."

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

Speaker Madigan: "Sponsor yields."

Giles: "Representative Hannig, I guess, yes first, if you can help me a little bit with the process of this piece of legislation. Just like many of us, we're glad to see that we're... we're trying to entertain the situation in which State Government will not shut down. We do have a purposed 1-month budget here. But could you help me with the process? Now, if we pass this legislation here out of the House, do we have an agreement at this time that the President of the Senate will call this legislation and we will have an agreed 30-day budget just like all of the previous Legislators have commended? This is a wonderful idea, this is a good ideal and we're glad that we're doing something here in the House. Do we... I mean, do we have an agreement in the Senate to get this passed and... and we can move forward?"

Hannig: "Representative, I'm not awa... aware that we have an agreement with the Senate on this specific piece of legislation. I do know that the Senate and the Governor have been talking with people on this side of the rotunda. And in concept, I think there's an agreement with what we're trying to do but I don't know that there's an agreement on this Bill."

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Giles: "So, so, so, Representative, so you're saying that once we pass this out of the House that we're done with our business and that the State of Illinois will have a 1-month budget, after we pass this out of the House chambers?"

Hannig: "Representative, we're... we're not... we're not finished with our business. This is just a... a... you know, effort to keep the... the... lights on and pay the... pay the bills. So..."

Giles: "Okay, so, so, sure... sure. I guess what I don't want to do is this Body to be misunderstood. If we pass this piece of legislation out of the... out of this chambers today, then is... is that it? The state now has a 1-month budget or do we have to entertain the Senate version or the Senate will call this version and then it'll be agreed upon?"

Hannig: "I... I... I would hope. I mean I would hope that, Representative, that we could... we could send this budget to the Senate today, that the Senate would... would in a bipartisan manner send it on to the Governor for his signature today. And that we could put this part of the discussion behind us and then focus on a final '05 budget that we could put in place as soon as possible."

Giles: "So, I... ya know, I... I think this brings back to my concerns which basically has something to do with the overall process. And that is that, ya know, all the Leaders that have been negotiating on this budget to... to come together in good faith and to... and to truly put together not just a 1-month budget but the overall budget. And to me it... it seems as if this gets out of this chamber we don't have an agreement in the Senate so we're back to

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square one. I mean, I... ya know, I'm a realist and... and I'm sure many of us we... we have... we have things to do back at home. It's summertime and... and I'm sure we'd all like to get back and the holiday is rapidly approaching. So, I... I guess what I'm asking, Representative, that in... in... in a good faith effort if you're one of those individuals in the room that... that this get done, that... that we come to a compromise and we do this 1 month to keep the core services moving forward in the State of Illinois and that we continue to work towards the major budget. Now, I guess the... the other question that I got... Representative, do we have a full analysis on all of the actual core services that going to be funded and I'm looking at my analysis and I don't see a line by line, do... do we have that?"

Hannig: "Yeah, if you look at... the... the analysis is available I'm advised, Representative."

Giles: "Okay, that... that's an analysis but... but do we have a full list of all of the services because what... what we don't want is that something to be overlooked or... or something to be funded at more of a level other than core services. I'm looking that every agency is funded at a... at the core services and there is a 2 percent to 4 percent leeway for those agencies if they miscalculate what they need at this time. Is that correct?"

Hannig: "Yes, Representative, our staff has tried to go through this very carefully over the last month and I think they've shared drafts with the other caucuses and the Governor's Office. I mean there could be a mistake, I suppose, but

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I'm very confident that the... what we have here in front of us today is a very good product."

Giles: "Sure. And... and as you stated, they shared those other drafts with other caucuses but not with individual Members. And... and that seems to be a problem as well as part of this process around here that we have all have seen, especially this Legislative Session. Representative, could you tell me that not just core services but also the agencies and their programs and... and various councils, are they funded at just the core level?"

Hannig: "Well, I... yes, Representative. Yes, they're fund... they're funded."

Giles: "Okay, so... so all are just funded at the core level not at any other level other than the core level."

Hannig: "Yes, that was... that was the goal is to try to find a budget that we could pass today and send on to the Senate for their consideration and passage and the Governor's signature, that would allow us to pay the state employees who come to work every day and do the jobs that we expect of them. And it'd provide that the safety net that we've established here in Illinois for people who have all kinds of various needs that we've established programs for that they can receive their benefits as well. So as much as possible, we're trying to contained... contain the damage that can be caused from a lack of budget... from the lack of a final budget to this route. We're... we're trying to keep the difficulties that we are struggling with here in Springfield from rippling into the rest of the State of

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Illinois and causing hardship for people that you and I represent."

Giles: "Could you just briefly tell me how the education budget comes into play of this core service budget? Are... are we funding just core... just..."

Hannig: "Yeah, Representative, so we would... we would fund the regular operations of the State Board of Education's so that they can answer the phone and... and be there to answer questions from school districts. We would fund the Summer Bridges program because that's an agency... that's a program..."

Giles: "I'm... I'm sorry, Representative, we will fund some of... I didn't hear the..."

Hannig: "We would fund the Summer Bridges program because that's a... that's a program that would typically receive a... an award in July. So we feel that it's appropriate that we continue that. The Regional Superintendents, the Phillip J. Rock Center, the Community and Residential Service Authority costs, the processing of teachers' certificates, the Teacher Retirement System, those kind of items would be funded. So in other words, Representative, the... the State Board of Education provided us... provided us with a list of typically when they make payments. So for example, the general state aid payment is not due 'til August 10. So, we really need not address that in this budget. The safety... the School Safety and Education Improvement Block Grant is typically made... would... the next payment would be October 30, no need there, Early Childhood is in August,

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Bilingual's November 15, so but then we get to the Summer Bridges, July 15, so we put that in. So, what we tried to do is where there was a... where there was an item that would come on... on the July payment cycle, we would include it but if not, then we would exclude it for the time being. Again, this is not a final product."

Giles: "Thank you. You mentioned... as you just mentioned, you know, July 15 or... or during the mid... middle of July that particular... this particular budget stream will end. When do we start the next cycle? Let's just say we cannot do... we cannot agree upon the overall budget. When do we start this cycle again, if we are going to continue the core services for the State of Illinois?"

Hannig: "Well, again, Representative, the... the record has been July 19 and I'm hopeful that we don't break the record on an overtime this year."

Giles: "So..."

Hannig: "We are in overtime; today's the first day of the fiscal year. It's important, I think, that we begin to... to address the problem of a budget and... and this at least addresses the small problem of allowing State Government to continue even as we struggle to address the overall problem of putting an '05 budget in place. So, if we have to, I'm certain, Representative, we'll be back at the end of July and then we'll look at the list of items that come due in August and we'll insure that... that there's... that there's appropriation authority for those age... items."

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Giles: "Thank you. Do you have... just lastly, do you have in your opinion or you may have an estimated or you may have an actual cost of what this 1-month budget actually costs?"

Hannig: "I'm... I'm told we're appropriating about 15 billion in GRF, so that's significantly less than what we would if we were doing a full year budget."

Giles: "Okay, so 15 billion, okay. Okay..."

Hannig: "Now... now, that... you know, there wouldn't be authority to spend the full 15 billion but... but we are appropriating it."

Giles: "Okay, okay. To the Bill. I think it seems as if the House has did their home... homework on this piece of legislation. As long as we're just simply funding the core services to make sure that the doors stay open, that various taxpayers and various individuals that work for the state do not miss their... their appropriate payment, then I think we're doing the work of the people and I encourage our Members to support this piece of legislation at this time."

Speaker Madigan: "And now, the person we've all been waiting for, Mr. Black."

Black: "Thank you very much, Mr. Speaker. It's been so long that I've had my light on, I can't remember, what are we on? What... oh I see this Bill, yes, thank you. Will the Gentleman yield?"

Speaker Madigan: "Sponsor yields."

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Black: "Representative, in the actual Bill there is clearly enumerated a sunset clause on this Bill which is August 1, 2004."

Hannig: "Yes."

Black: "And the effective date is July 1, 2004."

Hannig: "Yes."

Black: "So to reassure anyone who has any fears, this is a 30-day document."

Hannig: "That's correct."

Black: "All right. This core services budget grants payroll authority to the entities of State Government so that the employees, many of whom have called our offices wondering if they would get paid and the... whatever that magic date is of certification July 9, 10, 12, whatever it is. The agencies will have payroll authority for the month of July, correct?"

Hannig: "Correct."

Black: "All right. Have... to the best of your knowledge, the presidents of our institutions of higher education, have they corresponded with you and indicated that they can meet their summer payroll from their income funds?"

Hannig: "Yes, Representative, the... the... the universities have federal money available. They have tuition money that's available. They have endowments that are available. So, I think, at least in the short run in the next 30 days, they will be able to continue operations."

Black: "Is there anything in the 30-day core services budget that could be construed as appropriating any money for a

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possible 2.7 percent cost-of-living increase that Members of the General Assembly are eligible for beginning today?"

Hannig: "No, Representative."

Black: "I just... I... I thought that was the case..."

Hannig: "I... I... I want to refer or defer to my staff because I didn't believe it was there and they... they reinforced my thought that it is not there."

Black: "Well... and... and I think our staff feels the same way but we wanted to make sure it was on the record. I think the Speaker has made it very clear when he discussed the Senate Resolution, and the House Resolution, the sense of the House on that particular matter. And I just wanted to make sure that... tomorrow or next day someone wouldn't say, 'Oh my gosh, there is cost-of-living money in this 30-day budget.' There is not."

Hannig: "You are correct."

Black: "Fine. And it's my also... it's also my understanding that there is to be a trailer Bill in the next few minutes that will address the ability to transfer money within an agency's budget funds."

Hannig: "Yes, a substantive Bill, yes."

Black: "All right and I'll... I'll have a question I need to clarify to you when we get to that trailer Bill. Thank you very much for all of your work, Representative. Mr. Speaker and Ladies and Gentlemen of the House. The alternative to this 30-day operating authority budget is to do nothing. I would submit we have done nothing for too long and have upset too many and it's embarrassed all of

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us. This is the option that is before us today. It will grant payroll authority. It will enable the functions of government to continue during the next 30 days and I would hope and I'm sure all of you can agree that by that time we will have reached a budget that is fair to the taxpayers and fair to the people that the budget serves, certainly within the next 30 days. If you choose not to vote for this and that is certainly your right and I would understand that, but I don't know what the option and the alternative is as we sit here on July 1 with no operating authority in place for the fiscal year 2005 that begins today. I think the appropriations staff as someone said earlier on both sides of the aisle have worked hours and hours and hours on this. It is a reasonable attempt to reach some kind of compromise to maintain essential state services for the next 30 days. I urge an 'aye' vote."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 3361, a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Today is the first day of FY2005. In a perfect world we

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would have a budget in place and we would be recessed for the summer. But we're here in Springfield today deadlocked over the final spending plan for the State of Illinois. And I think that it's important that we pass a plan today, a spending plan today that provides that those people, those state employees, who come to work today and the rest of the month who do the work that they are paid to do can have a reasonable expectation that they will be paid and that they will be paid on time. I think it's only fair that for those people who rely on some government program to assist them in their life, have some reasonable assurances that that program will continue. So, we're only asking that the struggle that we continue to battle here in Springfield and that the difficulties that we face here in the State Capitol not be allowed to ripple beyond this building, that people who we represent not be put at a disadvantage or suffer a hardship for our inability to come to a final resolution on this budget. So, this budget allows us to move forward with the debate within this building and for the most part allows people beyond this building to continue on with their life and they can read about this debate in the paper, think it's an interesting thing that's going on in Springfield but it does not affect their life. So, I would ask that we pass this Bill and send it on to the Senate for their consideration and I'd ask for a 'yes' vote."

Speaker Madigan: "Mr. Parke."

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

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Speaker Madigan: "Sponsor yields."

Parke: "Just to understand, I've listened to the dialog on this proposed legislation, Representative and I've been told there's additional Bills. Can you tell the Body how many additional Bills there are after this one and what they cover?"

Hannig: "I know that... There's a substantive Bill, Representative, that has to be separate from this spending plan which would increase for 1 year only the transferability that the Governor would have from 2 percent to 4 percent. So, that would give him a little bit extra ability to move money around as he needs, particularly with this... with... with this core budget proposal that we hope to send him."

Parke: "Now, this is a 30 day solution."

Hannig: "Yes."

Parke: "What happens in 30 days?"

Hannig: "Well, Representative, first of all, I think we're... you're assuming that... that this Bill would become law. And if this Bill becomes law, it allows the State Government to operate its core services for the next 30 days. Hopefully, we'll get a final budget resolution long before that that will supersede what we have here and will allow us to adjourn for the summer and will allow the state agencies to perform their services and have a spending plan for the next 12 months."

Parke: "Okay, on... this is July 1. And we've put this together to make sure that State Government does not stop, that core

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services are continued. What happens in this... in this process if we missed funding some agency or that we've missed something in the... in the sense of trying to get this done now? What kind of mechanism is in there to protect those agencies or services that we may have inadvertently missed?"

Hannig: "Well, we believe after having it reviewed by your side of the aisle and our side of the aisle and as others have said both of our respective staffs have worked very hard on it. We honestly believe that there... that all of the agencies are accounted for."

Parke: "Well, I understand that, but we do all make mistakes and legislation is... had to be brought back because we did leave things out or that we incorrectly did it. I wouldn't... will we just come back with a trailer Bill to correct those... that?"

Hannig: "Well... well, Representative, within an agency you'll have the 4 percent transferability. So if an agency feels that somehow we've... we've... we've misappropriated some amount of money within their lines, they will have that flexibility to deal with it."

Parke: "Thank you, Mr... to the Sponsor. To the Bill, Ladies and Gentlemen. I rise in support of the legislation. It's unfortunate, here we are July 1, we still don't have a budget, we're still trying to negotiate something out. But on behalf of the people of the State of Illinois, we must have some form of budget. We must be able to provide core services to the citizens of this state. This is a stopgap

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measure that I think we're... are... if we're gonna be responsible in how we handle our jobs, this must be passed. And I hope that the Senate will also support this and that the Governor will sign it. Thank you."

Speaker Madigan: "Mr. Dunkin. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 109 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Supermajority, is hereby declared passed. On page 7 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 2213. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 2213 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Madigan, has been approved for consideration."

Speaker Madigan: "On the Amendment, Mr. Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. This is the proposal that I just spoke to Representative Parke about. It would raise on... for 1 year, it would... it would raise the Governor's authority to... to transfer money within a budget from 2 percent to 4 percent. And that's to reflect the fact that we are facing a difficult time and that the core service budget that we hope that he will have shortly will then have the maximum amount of flexibility. So, that's what the Amendment does. I'd ask for your adoption."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2213, a Bill for an Act in relation to budget implementation. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The Amendment now becomes the Bill. It provides the Governor with some additional flexibility to manage State Government. I think it's been agreed to by both sides of the aisle and I'd ask for your 'yes' vote."

Speaker Madigan: "Mr. Moffitt."

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

Speaker Madigan: "Sponsor yields."

Moffitt: "Representative, just a question for the record for legislative intent. This increases the percentage transferred that the Governor would have the authority from 2 to 4 percent. Is that correct?"

Hannig: "Yes."

Moffitt: "That's still just within a fund. Is that correct?"

Hannig: "It's... it's... it's within the... the line items that he has available within a budget."

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Moffitt: "Is this in any way opening the door that where there's been some talk of some funds sweeps and... and I mean, each of those items have to be considered separately. But this... this is not opening the door for... for that without legislative approval is it?"

Hannig: "No, the fund sweep was... is... would... would require legislative approval."

Moffitt: "Be it that's a totally separate issue."

Hannig: "It's on the table, but it's a separate issue from this."

Moffitt: "Thank you."

Speaker Madigan: "Mr. Joyce."

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

Speaker Madigan: "Sponsor yields."

Joyce: "Representative Hannig, we're... we just passed a 30-day budget. This 2 percent to 4 percent change allows the Governor to double his discretion for a whole year. Is that correct?"

Hannig: "That's correct, Representative."

Joyce: "Is it our intent to change that if we have a permanent budget in place down the road and go back to 2 percent before the fiscal year is up?"

Hannig: "Well, Representative... The... the issue is under discussion for budget implementation. But yes, we could supersede this Bill with a new budget implementation that went to 3 percent or... or some other amount. So, this would not be a final item I... I don't believe on what we would give him, unless we would simply agree to this but... but

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yeah, there is discussions on what the final amount should be."

Joyce: "Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I noticed that there is no sunset clause in this Bill. This Bill is operational throughout fiscal '05. But why... why is that?"

Hannig: "Well, Representative, first of all, we thought that it would probably be appropriate that we would provide this for a full year in case we would be here in August. But the truth is as well, that we're also discussing with the Governor, all four caucuses, the... the thought of giving him some additional transferability on a 1-year basis anyway. When... and whether that's 3 percent or 4 percent, I think in the end there will probably be a consensus reached among the four caucuses and the Governor and if... and if it's different than 4 percent, we would simply bring a new budget implementation Bill forward at that time."

Black: "Following up on what Representative Moffitt said, this would only allow funds to be transferred within a specific budget. A line item transfer if... if... is another way of perhaps saying it."

Hannig: "Yes."

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Black: "So you... you... you couldn't... you couldn't get into a dedicated fund and take 4 percent of a dedicated fund and then transfer it to say the Department of Corrections."

Hannig: "No, Representative. Now, you know and I know that there are some discussions going on about these fund sweeps, I'm not trying to deceive you, but that is not part of what this Bill is about."

Black: "Sure. Right. In other words, if I remember my days in county government, if... if a particular line item was not accurately or adequately budgeted, say in overtime, it's always very difficult to figure out how much overtime you might need, particularly in the Department of Corrections. So, if... if that line item was running short, then all this does is to give authority to the Department of Corrections to line item transfer from another budget item into the overtime budget item. It's simplistic as I can make it, right?"

Hannig: "Yes."

Black: "All right. Now, what... what's the safeguard? What... what check and balance is in here?"

Hannig: "I... I'm sorry. Could you repeat that?"

Black: "Yes. What... what is the check and balance system? Anytime you allow interfund transfers to be made, one must be very careful that someone is watching. I mean that governments have used that, I... I hesitate to use the word 'gimmick', but government entities know how to juggle funds. So, who's the... who's the 'chancellor of the

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exchequer', to borrow a phrase from our British friends.
Who has... who has check and balance authority?"

Hannig: "Well, first of all, the Comptroller would be the one
to make sure that someone does not exceed the statutory..."

Black: "Okay."

Hannig: "...requirement. So there is someone keeping score to
make sure you don't go 6 or 7 or 8 percent and think, oh
well, nobody will know. There is someone who will know.
The Comptroller will check. But this is... we've already
given the Governor and he already has the 2 percent that
allows him to move some moneys around in a small fashion
without having to always ask us for a supplemental
appropriation. This gives him some additional flexibility
on a 1-year basis only."

Black: "All right. Now, does the Comptroller just simple check
and report or does the Comptroller under this
implementation Act have the ability to raise a flag and
say, 'hey, wait a minute, whoa, whoa, you've already
transferred 4 percent from this, you're not gonna take
another 4 percent out.'"

Hannig: "I... I believe he has that authority already with the 2
percent..."

Black: "Okay."

Hannig: "...and he would have it with the 4 percent, as well."

Black: "All right."

Hannig: "So he can basically say, 'Enough. You're done.'"

Black: "All right. Given the financial crisis that we're in, I
don't think this will happen. But you and I have been

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involved in... in the processes for some time. What... my only fear with this year-long Budget Implementation Act, what's to prevent during the final budget someone from inflating their actual appropriated figure by 4 or 5 percent, knowing that, ah hah, now I've got a built-in 4 percent cushion anywhere in my budget."

Hannig: "Well, Representative, they would still have to have us in the General Assembly approve that overall budget. So they would have to make the case to your staff and your Members and my staff and my Members that the overall appropriation level is the appropriate amount, that that actually makes sense, so."

Black: "All right. So, they... they could not use the transfer authority to artificially inflate their bottom line. That's what you're telling me."

Hannig: "No, if we give them a hundred dollars, they can... they can move within the 2 percent or in this case within the 4 percent, four dollars around but in the end it still can't add up to more than a hundred dollars."

Black: "Okay. All right. And... and again not having read the entire Bill, because I can't read that fast, there is a check and balance to prevent that, given the appropriated... appropriation authority of the General Assembly. Right?"

Hannig: "Right. This does not allow them to increase their spending authority by 2 percent or 4 percent. It only allowed them to move within the lines."

Black: "Okay."

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Hannig: "The total has to add up to and... and not exceed the total and they have only so much they can transfer within the lines. And the Comptroller will watch that as well."

Black: "All right. Representative, again, thank you very much. I know this has been a difficult task. The hour is late and quite frankly, many of our... many of us... our... our tempers are frayed. We're all tired, we're all a little frustrated. This, I think, has been the most reasonable approach we've taken in the years that we've been here in July and I do hope, echoing one of my colleague's remarks, that the Senate will accept it as a good faith effort to continue this process in a reasonable manner and that perhaps we can all get a little sleep, maybe get away for a day or two and come back and put our heads together and finally get a budget for '05. This is, for someone who's not been through it before, this can be a very contentious process. And the longer it goes the more contentious it often becomes and the more our staff goes without the necessary sleep, the more some of us get frustrated. And I... I commend everyone involved in this because I think it brings a level of civility, of common sense and perhaps we can wrap this thing up in the next few days. So, I... I thank everyone involved in bringing this forward. And again, to our colleagues in the Senate, I hope this isn't regarded as a political gamesmanship or one-upsmanship. I'm not interested in a game of political ping pong. Because I think I know who's the ping pong ball and who's the paddle. And I'm at an age where I just don't like to

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get smacked around from one chamber to the other. I think this is a reasonable, good faith effort. I hope the Senate views it as that. I hope the Governor will view it as that and we can continue with the process."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Has Mr. Turner voted? The Clerk shall take the record. On this question, there are 109 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Supermajority, is hereby declared passed. On the Order of the Supplemental Calendar #1 there appears House Bill 7307. Mr. Clerk, what is the status of that Bill?"

Clerk Mahoney: "House Bill 7307. A Bill for an Act considering the executive agencies. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Clerk, hold the Bill on the Order of Second Reading. On the Order of Resolutions there appears HR 1064. Mr. Hannig in the Chair."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 1064 seeks to have a House Teen Poverty Task Force created that would look at the issue of teen poverty, including studying teen parenting, school dropout, youth homelessness and other issues related to teen poverty. There's an existing or actually a Resolution going through the Senate. And hopefully, if this

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Resolution is passed, this task force is formed. We could have a joint... hearings this summer to look at this issue. It's an important issue and I ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall House Resolution 1064 be adopted?' All in favor vote 'aye'; opposed 'nay'. 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 109 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Mr. Clerk is there Agreed Resolutions?"

Clerk Mahoney: "Agreed Resolutions. House Resolution 1081 offered by Representative Osterman. House Resolution 1082 offered by Representative Monique Davis. House Resolution 1083 offered by Representative Churchill. House Resolution 1084 offered by Representative Cultra. House Resolution 1085 offered by Representative Joyce. House Resolution 1086 offered by Representative Brady. House Resolution 1087 offered by Representative Mathias. House Resolution 1088 offered by Representative Howard."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen. To all of you, thank you for your kind consideration concerning the budget for core services. I want to compliment Mr. Cross and his able staff. I want to compliment John Lowder on our side

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and Gary Hannig for working over several weeks to prepare a core services budget. The House has now passed that Bill. The House has given 30 days of spending authority so that state operations can continue at a level less than a full level, but yet sufficient so that core services will continue to be provided. There was some discussion in the debate concerning the attitude of the Senate. And I don't want to directly quote Senator Jones but he did say something to me maybe an hour ago that made me think that the Senate will concur in the action that we just took. Again, I don't want to be quoted as to what he said exactly but it... it sounded that way to me. With that in mind, my plan for the schedule would be to leave here today and to advise everyone that they should plan on coming back possibly on July 7. And that would mean that we would take the regular Session into the regular Perfunctory Session's schedule which has been distributed. And... and that's precisely what I will do with the regular Session. However, we know that the Governor has had a different view as to whether the Members should remain here in the Capitol Building or whether they should go back to their district and interact with their voters to try and develop an assessment as to how the voters feel about this proposed budget and the budget impasse. At this moment, I do not know what the plan or the intent of Governor's Office is. We have posted this chart in the front of the chamber. And this chart'll be adjusted day by day. And our intent is to show the cost to the taxpayers of the State of Illinois of

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the Governor's plan for consecutive Special Sessions. So, as you all know, because your pockets are a little lighter, when we're in regular Session now you're not collecting your per diem. When the Governor takes his action you collect your per diem. Bottom line, that means that we've now expended in the neighborhood of a hundred thousand dollars for per diem expenses and if the Governor were to call Special Sessions right through July 6 that would be an additional \$84 thousand. I think that's a waste of money. I think it's been a waste of money from the time that it started which is why I advised the Governor not to do it. But he does what he does and he does what he wants to do. Again, I think that we'd all be well served by going back to our districts, spending time with our voters, spending time with our constituents talking with them, asking them how do you feel about the level of state spending? Do you think that the state should continue to borrow and spend money that it doesn't have? Do you think the state should spend more money than it takes in? Because these are core vital questions that relate to this budget debate and relate to this budget impasse. And I think the people of the state have a right to interact with their Representatives in their districts. So that would be my plan and unless there's something further to come before the house, Mr. Speaker, I would move that we stand adjourned to the regular Perfunctory Session schedule as of tomorrow, Friday, July 2."

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Speaker Hannig: "And on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "Indicates he'll yield."

Parke: "Thank you. Representative Madigan, it says here that we're in regular Session today. We're gonna go to perfunctory on Friday and then return on... your intention to have us return on Wednesday, the 7th of July?"

Madigan: "You're correct in your statement. If... if... if I didn't say this, let me say it this now, that Wednesday, July 7, is set as a perfunctory day. I'm thinking that if all goes well, we would ask you to come back, but not necessarily. But we would give you adequate notice."

Parke: "And so we would be on a 24-hour call... actually, we won't be back the 7. We'll just be on a 24-hour call until either you or the Governor calls us back."

Madigan: "Correct."

Parke: "And we would come back because there's been an agreement to some workable budget that would be presented to us for our decision to whether or not we think it's workable."

Madigan: "Yes."

Parke: "Thank you, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? Then Speaker Madigan has moved that the House adjourn to the regular Perfunctory Session schedule that has already been distributed to the Members. All in favor say 'aye';

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opposed 'nay'. The 'ayes' have it. And the Motion is adopted. Representative Franks, did you have a... an announcement to make? Representative Franks is recognized for an announcement."

Franks: "I'd like... like to announce that Members of the State Government Administration Committee will meet briefly to listen to one resolution im... immediately. And which room are we in, Mr. Speaker?"

Speaker Hannig: "Rep... Room 118."

Franks: "Room 118, thank you."

Speaker Hannig: "Okay. Are there any further announcements? Then there being no further business to come before the House, the House stands adjourned."