

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

1st Legislative Day

6/24/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Lee Crawford, the Pastor of the Victory Temple Church in Springfield."

Pastor Crawford: "Let us pray. Most gracious and sovereign king, we so humbly, at this hour, come before You with inviting hearts. We invite You to be our guide. We yield ourselves to Your authority. Father, we realize that we can do nothing without You. Our need for You at this moment, it is great. That's why Father, at this moment, we take our focus off of everything else, every problem, every need and we lift our eyes up into the hills, from which cometh our help. For Your word has instructed us, that our help come from You, our strength come from You and our victory come from You. This we ask in Your son's name. Amen."

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

Grunloh - 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 Representatives Hamos, Joe Lyons, Mendoza and Osterman are excused today."

Speaker Madigan: "Mr. Bost."

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Bost: "Thank you, Mr. Speaker. First off, let me say it's just wonderful to see you, I was just looking so forward to that today, and seeing everyone here. But on the Republican side of the aisle, Representative Bassi, Eileen Lyons, Mathias, Jerry Mitchell, Schmitz and Sommer are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 94 people responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, please read the proclamation from the Governor."

Clerk Mahoney: "Proclamation from the Governor in the State of Illinois.

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

WHEREAS, the General Assembly has not made appropriations for the fiscal year 2005 for the expenditure of public funds for the Department of Military Affairs, Illinois Emergency Management Agency, Department of Corrections, Department of State Police, Department of Children and Family Services, Department of Public Aid and Department of Public Health and the Department of Human Services; and

THEREFORE, pursuant to Article IV, Section 5 (b) of the Illinois Constitution of 1970, I hereby call and convene the 93rd General Assembly in a Special Session to commence

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on June 24, 2004, at 2:00p.m., to consider Senate Bills 3232, Senate Bill 3233, 3241, 3242, 3243, 3256, 3257 and 3278 and any other legislation (new or pending), which will address directly the budget of the Department of Military Affairs, Illinois Emergency Management Agency, Department of Corrections, Department of State Police, Department of Children and Family Services, Department of Public Aid, Department of Public Health and the Department of Human Services for fiscal year 2005. Signed by Rod R. Blagojevich, Governor, dated June 23, 2004."

Speaker Madigan: "Mr. Clerk, are there any Resolutions to be introduced?"

Clerk Mahoney: "First Special (sic-Session) House Resolution #1 and First Special Session House Resolution #2 are introduced."

Speaker Madigan: "Representative Currie, for what purpose do you seek recognition?"

Currie: "Thank you, Speaker. I rise to move for the suspension of all applicable House Rules, so that the House can give immediate consideration to the adoption of First Special Session House Resolutions 1 and 2."

Speaker Madigan: "You've all heard the Lady's Motion. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Motion is adopted. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. Would the Clerk please read First Special Session House Resolutions #1 and 2?"

Speaker Madigan: "Mr. Clerk."

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

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

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

Speaker Madigan: "Representative Currie moves for the adoption of the First Special Session Resolutions 1 and 2. All those in favor signify by saying 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, the Resolutions are adopted. Mr. Clerk, anything further? Mr. Hannig in the Chair."

Speaker Hannig: "The Chair recognizes the Gentleman from Cook, Speaker Madigan."

Speaker Madigan: "Mr. Speaker and Ladies and Gentlemen, if I could have your attention. We have distributed a proposed schedule for the Special Session, which in effect would put the Special Session on the same schedule track as the Regular Session that we have been following, where we would

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provide for Perfunctory Session Monday, Wednesday and Friday. Putting us in a position where, when appropriate, we can call you back to Springfield on short notice, as we did a week or ten days ago. So our plan is to recess this Special Session until tomorrow into a Perfunctory Session, and then into the schedule which is shown on the handout that we've just... just provided for you. If you would bear with me for a few moments, I've got a few comments to offer relative to the call for a Special Session, and just the general status that we find ourselves in. First of all, relative to the call, the call specifies certain Senate Bills. There are, I believe, eight Senate Bills identified in the Governor's call. Those Bills have only been read one time in the Senate, so there will be nothing for this chamber to do today and probably tomorrow. That presumes that the Senate could move those Bills to Second and Third Reading and then pass the Bills. I think we all understand that we're in an overtime Session. Once you're into an overtime Session, the operating concept that the Majority Party can move legislation without the Minority Party, no longer operates. And so for someone to presume that Senate Bills on the Order of First Reading, could be moved, say, in two days, for consideration by the House in the third day, presumes that Senator Watson and his supporters would automatically support the action being taken by the Majority Party in the Senate. So, number one, pursuant to the call, there's nothing for the House to do today. There's nothing that could be done by the House. Number

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two, I advised the Governor and other of the Leaders advised the Governor not to call a Special Session. That advice was rendered, because there have been several meetings among the Governor and the Legislative Leader. These meetings have been somewhat productive. It's my judgment that we are a long way away from a budget resolution, but the meetings have been productive, just in the sense that they've identified close to 30 nonbudget items. Let me repeat that. The meetings have identified at least 30 nonbudget items, which have been put on the table for discussion. They've become part of the budget discussion. They've become part of the ultimate resolution of the budget dispute. And so, I offer that to you simply to say we have made progress, but you see if there are 30 nonbudget items pending, it tells me that we're still quite a way away from a final resolution of all of these questions. I advised against calling this Special Session, because where it was appropriate and where we identified an immediate need to give the Governor the authority to do Medicaid borrowing, we called you back on short notice. You came here, the Senate came here, in one day we gave authority, an appropriation authority, for the Governor to do, I believe \$800 million of Medicaid borrowing to wipe out a back log of Medicaid bills. So, where it was appropriate to call the Members to the Capitol building, we did that. We did it successfully. And I say that in light of that we've shone that where it's appropriate to come here, we will come here, we will take action and there's no

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need for everyone to be here day in and day out. Next, in the House, we conducted appropriation committee meetings in the last few days, designed to take testimony from the various state agencies and... population at large in an effort to craft a core services budget, which we plan to call on Monday. The purpose of this budget would be to provide that if the budget impasse continues to the point where state operations will shut down, why that spending authority would be in place. So if we reach some point in July, there's no resolution to the budget impasse, as has happened, we're advised by state agencies that they cannot issue payroll, they cannot make payroll, we will have acted to give spending authority to the Governor, to the agencies, so that payroll can be met, essential grants can be made to those that are vulnerable in our society and who depend upon support from the State of Illinois. All of that would be provided for in a core services budget, and as I said, our plan is to call that on Monday. In addition, as I promised to the Republican Leaders several weeks ago, on Monday we will call the Bill which will put President Bush on the ballot. Now, that was a promise that I made to Senator Watson and Representative Cross, and we plan to do that on Monday and if there are other appropriate matters that can be called on Monday, we will do that on Monday. And then lastly, for... for the House Democrats, you all know that you've... you've been able to access a conference call three times a week to be briefed on the status of budget negotiations. Now, I say all of

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that because I think we have done a good job of attempting to work through what are very difficult issues, and at the same time we've kept our Membership advised, informed, where they wish to be engaged they can be engaged. The process has been working and I say all of that because I don't think there is a need for a Special Session. My plan as I stated earlier, is to recess the Special Session 'til tomorrow and then take it into that schedule track, which is set out on the schedule. Mr. Speaker."

Speaker Hannig: "Representative Black, the Gentleman from Vermilion."

Black: "Yes, thank you very much, Mr. Speaker. First of all, I thank Speaker Madigan for his comments. I think it put things in perspective. I know many of us wondered how we could be expected to act today on Senate Bills that in fact haven't cleared the Senate chamber, so I appreciate him setting that straight. But having said that Mr. Speaker, with the indulgence of the Chair, I would like to make an announcement of my own and then have an inquiry of the Chair, if I could. If it's all right with legal counsel. And the Chief of Staff."

Speaker Hannig: "Yes, please. Please do, Representative."

Black: "Yes, thank you. The announcement, I just a... when I entered Springfield today, I just want to thank the Springfield gasoline stations for raising their prices 16 cents overnight, so that we could all fill up at a higher price. That was certainly appreciated and I'm sure there was no collusion. The inquiry of the Chair is simply this,

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Mr. Speaker, and I think I... I can speak for not only myself, but maybe three or four others in the chamber, which is probably more than I can usually speak for, but you know, I asked the voters many years ago to send me to Springfield so that I could become a Member of the ship of state, and I'm very privileged that they have let me do that for a number of years. And I find at this particular point in my service, as a Member of the ship of state, I find that the ship of state is rudderless and drifting in circles off the coast of somewhere and I look up at the bridge and I see three people arguing who's the captain, and I'm just wondering, Mr. Speaker, if you could enlighten us as to who is the Captain of the ship of state and when might we get an itinerary and be able to steam into a port and complete our work? I'm... I'm just thoroughly confused, Mr. Speaker. The ship of state is adrift. I'm a willing crew member. I'm here to work, but I look to the bridge for guidance and all I see is a somewhat difficult, if not arduous argument, among three close, personal friends of mine who happen to be misguided and belong to the Democrat Party, but be that as it may, they're three wonderful Democrats arguing about who's the captain. And if they can't... if they can't solve that, Mr. Speaker, there are some of us on the Republican side of the aisle, who will step into the breach, we'll become the captain and we'll steer the ship of state to a safe port."

Speaker Hannig: "The Gentleman from Cook, Representative Parke."

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Parke: "Thank you, Mr. Speaker. I would like to ask the Speaker, just for clarification. So we're in today, we're about to adjourn, we're gonna come in tomorrow for no particular reason because we can't possibly do the work of the people tomorrow because the Senate still hasn't sent us the legislation and then we're gonna be off for the weekend, and then we come back Monday at 1:00. Is... is that what I'm reading on this Calendar? I just want to clarify it."

Madigan: "Mr. Parke, the plan for tomorrow would be a Perfunctory Session."

Parke: "Okay, so then we're not gonna be in tomorrow?"

Madigan: "Correct. Correct."

Parke: "So we... when we adjourn now, we come back Monday?"

Madigan: "Yes."

Parke: "Then, that's fine. I like... I like the way you operate on this one, because I thought we were coming back tomorrow and that didn't make any sense at all, so I think we will save the taxpayers' money tomorrow, so very good. Thank you, Mr. Speaker."

Madigan: "Sixteen thousand dollars."

Parke: "Thank you, Mr. Speaker."

Madigan: "Thank you."

Speaker Hannig: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Mr. Speaker, we thank you very much for the explanation of why we were here today."

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I'd like to know how many votes will be required to put Bush on the ballot?"

Madigan: "Seventy-one."

Davis, M.: "We'll need 71 votes to put Bush on the ballot. Will we need 71 throughout the rest of Session for anything that passes?"

Madigan: "Yes."

Davis, M.: "So anybody who wants to meet with the Black Caucus, you're not meeting with 71 people. Is that right?"

Madigan: "I'm not certain I understand your question."

Davis, M.: "If someone calls a meeting with the Black Caucus, it merely means they're meeting with 20 people."

Madigan: "Yes."

Davis, M.: "Those 20 people cannot pass anything with out 51 other people, is that correct?"

Madigan: "I think that math... yes... works."

Davis, M.: "Thank you for the record, Mr. Speaker."

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

Winters: "Could you... Thank you, Mr. Speaker. Could you check the attendance chart? I wanted to know if Representative Saviano was here today. Is... he is? I think we have about four hours, maybe we can have a not a end of Session party tonight."

Speaker Hannig: "Okay, so... okay, so now Representative Madigan moves that the House adjourn to the Perfunctory Session schedule that's been handed out to the Members. And on that question... Speaker Madigan."

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Madigan: "All right, Ladies and Gentlemen, there may be some who are questioning the language in the Motion. The language is correct. We are adjourning into the schedule that we've given you. The language is correct. And Mr. Speaker, I would so move."

Speaker Hannig: "You've heard the Gentleman's Motion. All in favor... excuse me, Representative Madigan."

Madigan: "Just to announce that there'll be an immediate Democratic Caucus and I think the Republicans may wish to do the same."

Speaker Hannig: "Yes, and Representative Brady, is that..."

Brady: "Thank you, Mr. Speaker. For the Republican... we will have a Republican Caucus in Room 118 at 3:00, not immediately after following Session, but at 3:00 in Room 118. Thank you."

Speaker Hannig: "So, Representative Madigan renews his Motion. Is there any discussion? All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it and the Motion is adopted. The House stands adjourned."