

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

1st Legislative Day

6/26/2004

Speaker Madigan: "The House will come to order. The Members shall be in their chairs. We ask everyone to turn off cell phones, laptop computers, pagers. 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 Bob Shook, with the United Methodist Church in Petersburg, Illinois. Reverend Shook is the guest of Representative Brauer."

Reverend Shook: "Let us assume a status of posture of reverence as we evoke the presence, the Almighty. Heavenly Father, we gather in this August day to do Your will through this Legislative Body. We know, Father, that there is differences of opinion always where Your people gather, be they in the states or in the churches of our land. Your will we seek to give guidance, to give leadership in the debates and decisions to be made. And we realize, Heavenly Father, that Your gracious spirit is wherever Your people are. And even, indeed, upon the Governor of our great state, that we cherish and we seek to serve and to utilize its resources for the benefit of all persons. Heavenly Father, Thy word says that we are to pray for those in positions of leadership first of all. So may Your gracious spirit be upon these men and women who seek to do Your will and in all honesty, some of us are here reluctantly, but we ask that Your spirit will sustain in the task ahead. Let us never forget the Lord Jesus in the garden, when He said if it could be possible He would rather not go to that cross, but He said nevertheless Your will be done. May

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You, gracious spirit, bring completion to the task at hand. May the differences be seen as complimentary rather than contradictory. Let Your grace and mercy abide upon these women and men who seek to represent their constituents. In the name above all name, we do pray and Amen."

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

Lang - 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: "All right, Ladies and Gentlemen, we're gonna take the Roll Call for Attendance and Members shall punch only their own button. Members shall punch only their own button. Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that these House Democrats, I hope in alphabetical order, are excused today: Representatives Acevedo, Rich Bradley, Burke, Capparelli, Collins, Colvin, Delgado, Feigenholtz, Hamos, Lyons, Mendoza, McGuire, Molaro, Osterman, Ryg, Scully and Soto. Oh, never mind... excuse me, Representative Lyons is here."

Speaker Madigan: "Did you miss Representative Lou Jones?"

Currie: "She was not on the list, but if she's excused, she's excused."

Speaker Madigan: "Ladies and Gentlemen, punch only your own button. Mr. Bost."

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Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Tenhouse, Biggins, Coulson, Sommer, Beaubien, Jerry Mitchell, Schmitz and Mathias are excused today."

Speaker Madigan: "Now, Representative Currie, one more time. Lou Jones was excused, McGuire and Scully?"

Currie: "Yes, indeed."

Speaker Madigan: "Okay. Thank you. The Clerk shall take the record. There being 81 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, read the Resolutions. Excuse me, begin with the proclamation."

Clerk Mahoney: "Proclamation 2004-184.

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

WHEREAS, the General Assembly has not made appropriations for fiscal year 2005 for the expenditure of public funds for the Illinois Environmental Protection Agency; and

THEREFORE, pursuant to Article IV, Section 5 Subsection(b) of the Illinois Constitution of 1970, I hereby call and convene the 93rd General Assembly in a Special Session to commence on June 26, 2004, at 10:00 a.m., to consider any legislation (new or pending), which will address directly the budget of the Illinois Environmental Protection Agency for fiscal year 2005. Signed by Rod R. Blagojevich, Governor of the State of Illinois."

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Speaker Madigan: "Mr. Clerk, read the Resolutions."

Clerk Mahoney: "Third Special Session House Resolution #1, the  
Third Special Session House Resolution #2 are introduced."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I move that... to suspend the  
Rules, so that the House might give immediate consideration  
to adoption of House Resolutions 1 and 2 of the Third  
Special Session."

Speaker Madigan: "You've all heard the Lady's Motion. Is there  
leave? Leave is granted, the Motion is adopted.  
Representative Currie."

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

Speaker Madigan: "Mr. Clerk."

Clerk Mahoney: "Third Special Session, House Resolution #1.

RESOLVED, that the Rules of the House of Representatives of  
the Ninety-Third General Assembly be adopted as the Rules  
of the Third 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 Third Special Session. Third 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 Third Special

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Session of the General Assembly, and are now ready for the transaction of business."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I move adoption of Resolutions."

Speaker Madigan: "One and two?"

Currie: "One and two, thank you."

Speaker Madigan: "You've all heard the Lady's Motion. Is there leave? Leave is granted. The Resolutions are adopted. Mr. Bost."

Bost: "Thank you, Mr. Speaker. We'd also like the record to reflect that Representative Dunn is excused today, as well."

Speaker Madigan: "Thank you, Mr. Bost. Mr... Representative Currie."

Currie: "Thank you, Speaker. We have a late addition to our excused absence list and that is Representative Brosnahan."

Speaker Madigan: "Okay. Mr. Hannig in the Chair."

Speaker Hannig: "The Gentleman from Cook, Speaker Madigan."

Speaker Madigan: "Mr. Speaker and Ladies and Gentlemen, my plan for today is the same as my plan for yesterday. The proclamation for this particular Special Session provides that this Special Session is devoted to the budget of the Illinois Environmental Protection Agency for fiscal year 2005. I'm pleased to tell you that that particular budget was contained in Senate Bill 3356 which on May 31 of this year, passed the House 99 to 18. Now, that Bill has not become law, but the House has done its job relative to an appropriation for the Environmental Protection Agency for

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fiscal year 2005. I trust that everyone knows that the Governor has also issued a proclamation for a Special Session for tomorrow at 4 p.m. and we will... I will be here at 4:00 to convene that particular Special Session. My plan is again to move that the Special Session be adjourned to the Perfunctory Session schedule, that was already established, that provides that we would be available on Monday, Wednesday, and Friday to come to Springfield on short notice, as we have done already, where it was appropriate and where we could move legislation, which would take us toward a... and then to this particular Session, and a resolution of the budget issues, which have us here today. So, Mr. Speaker, my Motion would be that this particular Special Session be adjourned into the Perfunctory Session schedule, which has already been established."

Speaker Hannig: "You heard the Gentleman's Motion. Is there any discussion? The Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "The Gentleman will yield."

Parke: "Thank you, Mr. Speaker. Good morning. Here we are, like birds in the wilderness, for another day. Is there any legislation that has been sent over from the Senate from yesterday in which we could take action?"

Speaker Madigan: "The answer is 'no'."

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Parke: "So nothing's changed since Thursday, Friday and now Saturday, and there is no action that the House can take to help with the impasse, is that correct?"

Speaker Madigan: "That's correct."

Parke: "Is the Senate in today?"

Speaker Madigan: "I believe they are."

Parke: "Okay. If they were to take action, would they be... would we be prepared to deal with any issues tomorrow?"

Speaker Madigan: "At this time, the answer would be 'no', or at least at this time, nothing that I know of."

Parke: "Okay. So, it's another day of taxpayer money for per diems, when we in the House can effectively do no work of the people. Is that correct?"

Speaker Madigan: "That... that'd be my opinion, Mr. Parke."

Parke: "Thank you, Mr. Speaker."

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

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

Speaker Hannig: "He indicates he'll yield."

Black: "Thank you. Mr. Speaker, following up on my colleague, Representative Parke, if I heard you correctly the proclamation calling for a Special Session today was to deal with the budget for fiscal 2005 of the Illinois Environmental and Protection Agency. And if I heard you correctly, the House has acted on that budget some time ago, is that correct?"

Speaker Madigan: "That's correct."

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Black: "Might that mean that the proclamation calling us into Special Session at this time to deal with a budget we've already dealt with, might have been issued in error?"

Speaker Madigan: "Possible."

Black: "And the... the proclamation calling us into Special Session on Sunday, the House is to deal with the budget of the Department of Natural Resources and of course, the director of that department is a good friend and former colleague of all us, Director Brunsvold. Has the House acted on a budget for the Department of Natural Resources?"

Speaker Madigan: "The answer is 'yes'."

Black: "So, the Special Session for Sunday is to deal with a topic that we have already dealt with."

Speaker Madigan: "That's correct."

Black: "And the Special Session for Monday, I'm somewhat confused because we were to be in Regular Session on Monday. So, we're here for two Sessions on Monday."

Speaker Madigan: "That's correct."

Black: "I see. Mr. Speaker, well... Mr. Speaker, thank you very much. And Mr. Speaker, to the situation that we find ourselves in... it is somewhat obvious, I think by now, to all of us that there is some confusion as to how the legislative process works, and I think it's time to call in a mediator that might be able to pour oil, as it were, on troubled waters and perhaps get the Leadership of this august Body on the same page. As all of you know, I am generally a voice of reason and calm, in the waning days of session. My record is very clear on that topic. I have



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often been certainly less animated as we get into the final days of Session, I'm generally at my best when the pressure is the greatest. I offer my good services to serve as a mediator between the Speaker, the Governor, the House Republican Leader and of course, the President of the Senate and the Republican Leader of the Senate, as well. All good people that I respect, but perhaps I could be summoned somewhat earlier on Sunday to convene a meeting to review the rules of the General Assembly and the legislative process, and to see if I could perhaps let my good, downstate common sense prevail upon these august leaders so that we might begin to make some progress. And that offer is open and I stand at the call of the Chair and of the Governor's Office, he still does have a phone, I believe, does he not? Okay, I got a... I called there yesterday and they said the line had been disconnected, but we'll... we'll get that straightened out and again, just on behalf of all of us who are a little bit frustrated at this process, my offer is on the table and I'll do the very best I can to try and bring some reason and calm, common sense that only a good downstater can bring to the process."

Speaker Hannig: "Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. Earlier we reported the absentees. We need to also repo... report that Representative Sacia is excused today."

Speaker Hannig: "Okay, the Clerk will so report. Is there any further discussion? Then Speaker Madigan renews his Motion

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that the House adjourn to the already established schedule that has been distributed to the Members. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Resolution is... and the Motion is adopted and the House stands adjourned."