

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Speaker Turner: "The hour of 2:00 having come and went, the Special Session of the House will come to order. The Members will be in their chair. We ask the Members to turn off their laptops, cell phones and pagers. We ask that our guests in the gallery to stand and join us for the invocation and the Pledge of Allegiance. We will be led in prayer today by Pat McManus, the pastor of the House of Praise in Aurora, Illinois. Reverend McManus is the guest of Linda Chapa LaVia. Reverend McManus."

Reverend McManus: "Father, we just come before You. Lord, we lift up these men and women that are here. Father, the job and the responsibilities that they have is tremendous. Father, the weight and the pressure that continues to mound upon their life. Father, we ask that You give them peace in the midst of the struggle and despair across this state. Father, I ask that You give them wisdom to be able to handle things effectively and appropriately. I ask, Father, that You give them guidance, watch over each one and each family, Father, that they'll begin to know and understand more, and more of how they can govern effectively and appropriately, based upon who You are. I ask, Father, that You continue to watch over each one, their families. Lord, protect them, guide them, give them wisdom, give them understanding. Most of all, Father, give them compassion for each other and compassion for the people of this state. Lord, watch over them as they govern effectively, give them strategy to effectively administer the rules across this land. And, Father, I thank You for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

each one, their diligence and their service towards this state. Lord, we want to honor each one for their willingness to participate and help bring clarity across this state, to truly help those that are in need as well as those that don't. Lord, that they want to abide by the principles that are truly governing across this land. Father, we thank You for Your grace and wisdom. Give them the strategy and direction, but most of all safety as they govern. Father, we thank You, in Jesus' name, Amen."

Speaker Turner: "We shall be led in the Pledge today by the gentlemen from Cook, Representative Crespo."

Crespo - 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 Turner: "Roll Call for Attendance. The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker. To report the excused absences among the House Democrats. They are today: Representatives Arroyo, Brosnahan, and Jakobsson. Please let the record so reflect."

Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Mathias is excused on the Republication side of the aisle. All other Members are present and ready to do the work of the people."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Speaker Turner: "114 Members present, a quorum is present and we shall proceed. Mr. Clerk, take the record. The Gentleman from DuPage, Representative Fortner, for what... There are 114 Members present, a quorum is present. Mr. Fortner, for what reason do you rise?"

Fortner: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Fortner: "I am as close as Representative Winters has to a seatmate, so I would ask all the Members to warmly wish him a happy birthday today and to help him celebrate his birthday feel free to come back to Room 314 for some cake to help in that celebration. Thank you."

Speaker Turner: "Happy birthday. Ladies and Gentlemen, if I could have your attention. The program for today... Ladies and Gentlemen, the program for today is at 3:30. The Governor has requested to speak to both the House and Senate, so it will be a Joint Session here in this chamber where the Governor will address us at 3:30. Shortly after the Governor's address, we will then take care of some housekeeping matters, some... a couple of Bills that we need to have addressed. We will deal with those shortly after the Governor gives us his comments and then we will see what goes after that. Mr. Clerk, you should be prepared to be around for a little while this evening yet; that's the... the best I can... the best advice I can give you at this point. But the Governor will speak to us at 3:30. Mr. Clerk, announcements."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Clerk Mahoney: "House Joint Resolution 1, offered... House Joint Special Session Resolution 1, offered by Representative Currie. BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, AT THE FIRST SPECIAL SESSION THEREOF, THE SENATE CONCURRING HEREIN, that the two Houses shall convene in a Joint Session on Tuesday, June 30, 2009, at the hour of 3:30 p.m. for the purpose of hearing an address from his Excellency, the Governor Pat Quinn."

Speaker Turner: "Representative Currie moves for the adoption of HJR1. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution's adopted. The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

Franks: "A question of the Speaker."

Speaker Turner: "State your question."

Franks: "I'm glad to hear that the Governor will be coming to speak to us. My question is, will we be able to ask the Governor questions?"

Speaker Turner: "No."

Franks: "It's just an address."

Speaker Turner: "It's just an address."

Franks: "All right. Are we going to need to get provisions, Snickers bars, anything? Are we going to be here for a while, or we still don't know?"

Speaker Turner: "Depends on who wants to ask him questions after he makes the address outside in the hall."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Franks: "Okay. Thank you."

Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. I can probably guess at the an... I have an inquiry of the Chair and I would guess that the probably the answer is going to be because that's what we are going to do. But if we know that we have business to do after the Governor leaves, why do we not go ahead and handle the business now instead of going to recess and then of all things we might be able to, after the Governor gets done, move on from there, instead of setting in recess for an hour?"

Speaker Turner: "There's an assumption that once we listen to the Governor's address that it may have some impact on some of the legislation that we are to deal with."

Bost: "Because the state has went into the method of gambling so much, is anybody taking odds on that?"

Speaker Turner: "It's not legal."

Bost: "Okay."

Speaker Turner: "Yet. The Gentleman from Lee, Representative Jerry Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. I just wondered if there's any word on later in the week, like tomorrow, and beyond?"

Speaker Turner: "Tomorrow's Wednesday?"

Mitchell, J.: "Well, yeah, that would be Wednesday. Should we be prepared to be here later in the week or is... are we going to try to get our business done today?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Speaker Turner: "Representative, I don't want to... and I know people are look for a serious answer to that question. It's one that I just can't answer at this time. As soon as we get it, we will make the Members aware."

Mitchell, J.: "Okay."

Speaker Turner: "I do understand the difficultly of checking in and checking out, and the availability of hotels here in this town, in particular this week, with it being the holiday."

Mitchell, J.: "Well, certainly with the holiday coming up, they're going to fill up quickly and be requests for them. I just was curious as to how soon we would know. Thank you, Mr. Speaker."

Speaker Turner: "As soon as we get the information, I will tell you. The Lady from Cook, Representative Feigenholtz, for what reason do you rise?"

Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I just want to acknowledge that... and inform the Members of this Body that eight men and women who are poised to lose their jobs, poised to lose health care, people who take care of children in the State of Illinois. They're child care workers, they work with low-income children, low-income families, foster kids, kids in public school. Just got arrested outside, by I believe, the State Police or Secretary of the State Police because they came here to ask us to take leadership, to be leaders and to come up with a solution so that... so that we could provide adequate funding for... for to keep them employed, to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

help them stay taxpayers in this state. And I just would like to acknowledge their courage and commend them and hope that we can help them out before we leave today. Let's give them a hand."

Speaker Turner: "Do we know how much is their bond? The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

Biggins: "For purposes of an announcement, Mr. Speaker."

Speaker Turner: "State your purpose."

Biggins: "There was a discussion of a possible trip to China this summer, but the government of China has postponed, due to the concern of illness spreading, has postponed such trips to know... of the travel ban, I should say, will expire September 30 of this year. So that trip to China, any such trip would occur after that date."

Speaker Madigan: "The House shall come to order. The Doorkeeper is recognized for an announcement."

Crawford: "Mr. Speaker, the Honorable President Cullerton and the Members of the Senate are at the door and seek admission to the chamber."

Speaker Madigan: "Mr. Doorkeeper, please admit the Honorable Senators. As designated in Special Session House Joint Resolution #1, the Joint Session of the 96th General Assembly First Special Session will now come to order. Will the Members of the House and our esteemed guests from the Senate please take their seats. Mr. Clerk, is there a quorum of the House present?"

Clerk Mahoney: "A quorum of the House is present."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Speaker Madigan: "Mr. President, is a quorum of the Senate present?"

President Cullerton: "Thank you, Mr. Speaker. A quorum of the Senate is present."

Speaker Madigan: "There being a quorum of the House and quorum of the Senate in attendance, this First Special Session Joint Session is convened. Mr. Doorkeeper, has the Governor arrived?"

Crawford: "Mr. Speaker, the Honorable Governor of the State of Illinois, Patrick J. Quinn and his party wish to be admitted to this chamber."

Speaker Madigan: "Admit the Honorable Governor. Mr. Doorkeeper, would you escort the Governor into the chambers. Ladies and Gentlemen, please welcome the Governor, Governor Quinn."

Governor Quinn: "Well, good afternoon, everyone. I want to thank Speaker Madigan, President Cullerton, Leader Radogno, and Leader Cross for the opportunity to address you today. It's an honor always to be in this peoples' House in our State Capitol, the building that belongs to everyone in Illinois. Our taxpayers are very proud of this building and all the people in it. It's been an honor to be Governor of Illinois since January 29 of this year. I stood about here and swore an oath of office and every day has been a challenge. It's been very exciting, been very difficult. It's been very rewarding to work with everyone in this Legislature, this General Assembly. I feel that everyone here has offered a great deal to the public good

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

of our state, to the common good and I look forward to working with you today and tomorrow and every day that I'm Governor. I think we are here at a historic time in our state's history, in our country's history and I think it's very important that we work together. When I was here taking the oath of office, I recited... that my father was in the United States Navy for 3 years, 1 month, 15 days. Upon his discharge, his commanding officer wrote a letter of reference and pointed out that my father was a cheerful person, an optimistic person, a person who believed in being honest all the time, being frank and cooperative, and being a good neighbor and so I've tried to do that as Governor. I think those are words that we can all live by. And in this very important day, the last day of our fiscal year, I thought I would visit with everyone here about my point of view... direct point of view about what we need to do as a state in order to have a balanced budget that invests properly in the health and safety and education in defense of the people of Illinois. So, it is an honor to be here. The last time I was here it was March 18. On that day I gave the budget address and indicated that we have serious problems and our state is really suffering its most difficult financial crisis since 1818, since our very beginning. It was true then; it's even more true today and we have to do something about it. We have a \$9.2 billion deficit. It's not going to close the gap by itself. We must make tough choices, not bad choices, but tough choices, tough decisions, in order to balance our budget.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

And we've proposed in recent days \$2.2 billion in pension obligation notes and this has been acted upon by this House of Representatives and the Senate in the last 24 hours to free up cash for vital state services and I commend everyone for doing that. We also need more revenue. There's no other way to put it. I have said on March 18, and I'll say again today, we need more than \$4 billion from the most progressive tax that we have, the income tax, in order to have a balanced budget. That money will allow us to also get federal matching money for everything possible, another \$1.8 billion in additional new federal matching funds. But having done all of that, even if we can do all of that, we still need to make cuts... further cuts in our State Government budget. So, I've ordered my staff and our directors to make an additional \$1 billion in targeted spending cuts in addition to more than \$1 billion in cuts that I first proposed on March 18. These are serious cuts; they go... span the... all parts of State Government. They're going to be very difficult to implement, but they must be done. I think the people of Illinois believe that we should always be honest in our budgeting. They believe that it's wrong to hide behind gimmicks and to over or under inflate the numbers to make our budget seem to be balanced. I don't think the people believe in sleight of hand that merely pushes bad news on to the next budget year or on to the next generation. They know, I think the people know, that we must reduce unnecessary costs in our government. I think the people know and we know that we

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

cannot start new programs without proper funding. They know that we must trim state programs that are obsolete or duplicative, that just aren't high priorities. The people know that our state, the Land of Lincoln, should pay its bills on time, rather than borrowing from those who are providing services to our State Government and who have to wait sometimes six or more months for payments. I think it's important that all of us take these matters to heart. These next few hours that we have in this fiscal year, must not be about our own elections. They must not be about tactical politics. This is an hour that is being called upon for all of us to do what's right for the common good. We can't just be thinking of ourselves at this time. We must think of the 13 million people who reside in our state, who pay taxes, and who pay our salaries. They know that we, the people's representatives, must guide our state through the most difficult recession in our entire lifetimes. The people know that we here, the elected representatives of the people, must do things in a proper way so that we don't harm children, harm families or harm communities. It's important that today and every day forward that we have a balanced budget that we craft with the policy and ingenuity of all those present in this chamber, a budget that makes sense for the people of Illinois. And we must not put off decisions 'til later in the summer or the fall or next winter. That's not what adults do. They confront tough challenges; they meet those challenges with the best that they can come up with, on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

behalf of the common good. So, that's what I believe in and I believe we must complete that task as quickly as possible; we must embark upon that task today. And before this fiscal year begins, tomorrow, we need a balanced budget. This is very, very difficult. We know that it's difficult. But if we don't get a balanced budget, if this General Assembly sends me a partial budget that decimates the social safety net of our state, I will veto that budget. If you, the Members of the General Assembly, send me a partial budget that tells the frail, elderly that their community care worker will not be at their house tomorrow, I will veto that budget. If you send me a partial budget that cuts deeply into community mental health service programs in the middle of this difficult recession, I will veto that budget. If you send me a budget that eliminates or underfunds any program for veterans, service members or their families, I will veto that budget in the middle of two wars. If you send me a partial budget that subjects our state to all kinds of lawsuits, scores of lawsuits, resulting from the fact that you have disrupted programs that you yourselves have passed into law, you're not willing to change those laws to take away legal guarantees that are embedded in those laws, I will veto that budget. Just this afternoon in Federal Court in Chicago, Judge Grady issued this decree. It says in a crystal clear plain language that we, the people of Illinois, are not allowed to cut programs for children, children who have been abused and hurt. That the harm that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

would occur to children under program and service reductions contemplated by this General Assembly under a budget that does not fully fund those programs would not only harm the children, the harm would be irreparable. It also violates a court order, a consent order, that our state entered into. We can't go down that road and I know that people here don't want to do that. That's why we have to be adults. We have to come together, work together cooperatively and collaboratively to come up with a budget solution that works for the people of Illinois and all of those who need our good work. So, I'm prepared to stay here all summer to get the job done. I think that's what the people want; that's why we're here, to get the job done. Whatever it takes and you must not, as a General Assembly, and I must not as a Governor fail the people. That's why we're here, we're public servants. We can't have half measures and half-baked budgets. We cannot have political timidity; we need political fortitude. That's what we're in the arena for, to serve the people. Inaction is not... inaction is not an option. This is our moment in history. It's time to rise to this moment to take on this challenge. It's time to have a balanced budget for the people of Illinois and to make the will of the people the law of the land. Thank you very much."

Speaker Madigan: "Ladies and Gentleman, wait, can we have your attention for just for a moment. President Cullerton would like to make an announcement."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

President Cullerton: "The Senate has requested that there be a caucus in both the Republicans and Democrats in our respected offices immediately upon adjournment here of this Joint Session."

Speaker Madigan: "The President of the Senate is recognized for a Motion."

President Cullerton: "Thank you, Mr. Speaker. I move that the First Special Session Joint Session do now arise."

Speaker Madigan: "The President of the Senate has moved that the First Special Session Joint Session do now arise. All those in favor signify by saying 'aye'; those opposed say 'no'. The 'ayes' have it and the First Special Joint Session will now arise. The First Special Session of the House will come to order."

Clerk Mahoney: "The House Rules Committee will meet immediately in the Speaker's Conference Room. The House Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Mautino: "Representative Mautino in the Chair. The Lady from Lake, Representative Osmond is seeking recognition."

Osmond: "Thank you, Mr. Speaker. The Republicans will caucus at... wait one moment. The Republicans will caucus in Room 118 at 5:15 for one hour."

Clerk Mahoney: "The House Rules Committee will meet immediately in the Speaker's Conference Room. The House Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Speaker... Speaker Madigan in the Chair. The Chair recognizes the Clerk."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Clerk Mahoney: "Committee Report. Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on June 30, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is recommends be adopted is Amendment #3 to Senate Bill 349 and Amendment #3 to Senate Bill 1221. Additional Rules Report. Amendment #4 to Senate Bill 349 was approved for floor consideration."

Speaker Madigan: "On page 2 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1221. The Chair recognizes Representative Currie. Representative, I believe the Bill is on the Order of Second Reading."

Currie: "And I believe we would like to consider Amendment #3."

Speaker Madigan: "The Lady moves for the adoption of Amendment #3. 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 1221, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker, Members of the House. This a second capital Bill. There was a problem with the first

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

and so we are redoing it in this version. The measure does other things, for example, separating out the Illinois Math and Science Academy from the appropriation with the Board of Higher Education. There are two small items, someone who had been found innocent after spending some 15 or more years in jail is entitled to money from the Court of Claims, but if we don't give him the money now, he'll have to wait until August 2010 to get the money he is owed. He left prison very recently with \$29 and the shirt on his back. So this takes care of that problem. As we have approved the pension obligation note, this measure will give 2.2 billion additional dollars to the Governor. We do it in a lump sum so that he has maximum flexibility to spend as he sees fit. We are also appropriating normal cost to the pension funds. There is a reappropriation for the purchase of land in Peotone. There is an additional appropriation for the Capital Litigation Trust Fund and the Capital Punishment Review Commission. Salaries for the state's attorneys and public defenders are also included in this appropriation. I'd be happy to answer your questions. And oh and again, I'm sorry, there's one other change. And that is that in the initial Bill, Senate Bill 1197, which has now been sent to the Governor, we severely limited the opportunity of agencies to hire professional and artistic services. That language would be gone under the provisions of Senate Bill 1221 with Amendment 3. So I'm happy to answer your questions and I'd appreciate your support."

Speaker Madigan: "Mr. Eddy."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Eddy: "Thank you, Mr. Speaker. Would Leader Currie yield for a question?"

Speaker Madigan: "Sponsor yields."

Eddy: "Thank you. Representative, just to reiterate a point you made regarding the \$2.3 or \$2.23 billion for the human service portion of this. That... that is dependent upon, obviously, the... the pension note Bill successfully passing both Houses."

Currie: "That's correct."

Eddy: "And... and then the intent is, as it was written into the Bill, that this be used for... for those contracted service specifically and to make sure that we... we fund those vital programs."

Currie: "There was language in the pension note obligation Bill that would have specifically suggested that the Governor spend money on community-based human services."

Eddy: "Okay. And this... this is important to... to further clarify that and to put it into implementation language. Is there anything in this related to a pension appropriation or language that deals with the pensions?"

Currie: "Yes. There is language and that... that is to say we are appropriating normal costs to the pension systems, which is what we always do. The pension obligation note takes away our responsibly to send 2.23 billion to the unfunded liability share of the state pension systems. So that... we've relieved ourselves of that obligation by virtue of giving them these notes that turn immediately into cash, but we will continue to fund normal cost."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Eddy: "Okay. So, is this legislation dependent upon the pension obligation note legislation passing? What happens if that doesn't pass for some reason and this appropriation to the pension is made?"

Currie: "This portion of the Bill is dependent upon passage of the substantive Bill, you're right."

Eddy: "Okay. Well, I just wanted to make sure, because I think in more layman's term, at least the way I would understand it is, and people ask me are we making the full pension payment? And I think the answer is yes, based on the combination."

Currie: "Right, exactly."

Eddy: "Okay. Thank you, Representative."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, one of the... the last thing you mentioned caught my ear. As I recall, someone who is very important in this process said very early in this... this budget year, that we had... the Governor, the previous Governor, had spent an awful lot of money on professional and artistic services and it was his desire to pull back on that. And the language, as I recall, said he would limit those to a dollar. Now, I see that that limitation has been removed."

Currie: "And the answer is that I think the new Governor will be cautious and careful in his willingness to allow agencies to hire outside firms to do business for them, but

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

as drafted, the legislation was so limiting that it would have been pretty much impossible for... for example, early childhood programs to hire people to... to take care of kids. So, what we've tried to do is to be a little more flex... and give government... the Governor and his agencies more flexibility with respect to professional and artistic services and we trust the Governor when he said that he wanted to pull back on that front."

Black: "And as I understand it, the Department of Public Health, who has to employ many professionals, doctors, et cetera, probably couldn't operate without that."

Currie: "Exactly. And..."

Black: "But I... I think... I think, having been here for a while, I think clear notice has been given and I assume that staff on both sides of the aisle will watch and report to the General Assembly if those contracts begin to approach what they were under the previous Governor. The... the only thing that I... two other questions. One deals with the Chicago Clean Energy Coal Plant, as provided for in Senate Bill 52, that's... and it says it adds \$10 million. Now, does that \$10 million come out of the Clean Coal Development Fund or are we appropriating an additional \$10 million for that study out of GRF? I'm a little confused on that."

Currie: "Yeah. We had... we had authorized some bond money for these projects some time ago, several years ago, much of that money isn't spent. What this Bill would do would be to authorize the use of those dollars by..."

Black: "Okay."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Currie: "...Leucadia and Powers Holding."

Black: "So, it would be from the bonds that make up the Coal Development Fund, not GRF?"

Currie: "Exactly."

Black: "Okay. I'm not sure, after the climate Bill passed last week, that we'll ever burn coal, but that remains to be seen. You mentioned the... some capital Bill and let me ask you, with your indulgence, Mr. Speaker. I don't know if this is germane to the Bill before us, but I'm trying to figure out what's the status of House Bill 210, the mini capital Bill that I think we'd passed back in April, was supposed to put all kinds of people back to work and heaven knows, we needed to do that. But I don't know what the status of House Bill 210 is and it appears we've reappropriated all of that money in this Bill."

Currie: "We are doing exactly that, Representative. So if you were for it then, you're for it now."

Black: "Well, I was and I will be, but I don't understand. I thought we passed House Bill 210. I thought it was on his desk. Am I mistaken?"

Currie: "It... it's time for the projects to spend out and that's why we're doing it a second time. This is... this is the..."

Black: "So, the mini capital Bill was to put people to work very quickly and it appears that the administration didn't follow through with that. So, we're reappropriating..."

Currie: "Right."

Black: "...that money in the hopes that better late than never."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Currie: "It takes time to sell bonds, so I think that's part of the reason that there's been a delay. In any case, that's what this measure does."

Black: "Okay. All right. So, the mini capital Bill, in effect, is reappropriated in this Bill."

Currie: "Yes."

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

Madigan: "Mr. Brady."

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

Speaker Madigan: "Sponsor yields."

Brady: "Representative, you mentioned about what, 19 million to cover the state... the state attorneys salaries and assistant state's attorneys, is that correct?"

Currie: "That's correct, also public defenders."

Brady: "Also public defenders. Are they the only county officials then in the Bill, in regards to salaries?"

Currie: "Yes."

Brady: "Okay. Thank you very much."

Speaker Madigan: "Representative Hamos."

Hamos: "Thank you. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hamos: "Representative Currie, the \$2.23 billion in here, where is the language in the body of the Amendment, do you know?"

Currie: "It's Article 15, Section 5."

Hamos: "What page is that?"

Currie: "Article 15 Section 5."

Hamos: "Do you know what page that is? It's 996 pages..."

Currie: "We think 9... Wait, wait. Page 900. Thank you, staff."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Hamos: "Okay. So Representative Currie, the Governor came in here today and talked to us about a partial budget. You know, with a part..."

Currie: "I'm sorry. It's page 990."

Hamos: "The Governor came in here today and talked about a partial budget and this adds \$2.23 billion to a previous appropriation that was our 50 percent budget, but it's still a partial budget isn't it, based on what the Governor's thinking is?"

Currie: "Based on the Governor's definition of an adequate budget, and my definition of an adequate budget, this is not an adequate budget, but it is all the money that we have available to spend and that is why I am putting Senate Bill 1221 before you and I am hopeful that you will support it."

Hamos: "But isn't it... Representative Currie, aren't we acquiescing by voting for this? If we vote 'yes' on this Bill, aren't we acquiescing to a partial budget exactly the kind of thing the Governor was talking about today?"

Currie: "I would say no."

Hamos: "The people we would be hurting... I mean, that when..."

Currie: "If that was a question, my answer is no. My answer is that it is totally irresponsible to walk out of this House of Representatives today or tomorrow or the next day without having taken a stab at funding State Government at a level that our resources permit us to fund it. This money is all we have to spend and I, myself, support a tax increase so that we can do a better, a more adequate job of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

funding programs for vulnerable, fragile residents of the State of Illinois, but I'm for this Bill because this Bill spends the money that is available to us to spend. And it strikes me as the height of irresponsibility to say that instead we're going to fund State Government at zero."

Hamos: "Well, but, Representative Currie, we're not funding it at zero, correct? Because there's another... there's a Bill already on the Governor's desk that actually funds 23.8 billion-plus, a mill... a billion, \$24 billion is already on his desk, isn't it?"

Currie: "That's true, but I would argue if we have more resources we ought to spend them on the programs that matter to the people who need the state's help in order to survive in order to... to live with dignity and with the help they need to live."

Hamos: "Well, I think, again, I... you know, I appreciate what you're saying and I think this is just the way that we're looking at our task here. If we really believe in creating a budget that is meaningful, that really does help the senior citizens, the children, the college students, the many of those pro... the programs that serve the most vulnerable people in our society. If the 470 grant items that we received one day in a batch, if we really believe in that, then isn't it a more appropriate, I mean, I'm debating whether it's not a more appropriate vote to... to vote 'no', and to keep talking about how we can create a more adequate budget. Because if we pass this today, it's very likely that we will go home and it really will feel

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

like we have acquiesced in a partial budget and that we will be going home to explain to those really important providers why we did not fund an adequate budget. Thank you."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Representative, I apologize if you've covered this, but I am not sure I understand. I know yesterday we voted on a Bill that... for the pension notes."

Currie: "Obligation notes, yes."

Franks: "We'd get about \$2.3 billion on that."

Currie: "2.23."

Franks: "And what Bill number was that?"

Currie: "That was Senate Bill 415."

Franks: "Now, if that had been incorporated into this Bill, Senate Bill 1221..."

Currie: "This Bill is the spending counterpart; this Bill would spend the \$2.23 billion that were at stake in Senate Bill 415."

Franks: "And we've articulated that it would go to social services only?"

Currie: "In the substantive Bill, we asked that they... the funding of community-based human services be a priority and the language, the appropriation language here, also says... makes the same point and gives the Governor the 2.23 billion with the flexibility to spend it on these important human service programs."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Franks: "Does it give him any flexibility to spend it anywhere else?"

Currie: "He does have flexibility in other parts of the budget, Representative, but here he's pretty well curtailed in that we are asking that he... that he spend the money for the costs of community-based human service providers and agencies that are associated with programs and other services that provide assistance for those in need."

Franks: "Okay. And also in this Bill, are we removing the professional and artistic language restrictions?"

Currie: "The limitations on agencies use of professional and artistic services, yes."

Franks: "And is there also an appropriation for the capital member projects."

Currie: "For the..."

Franks: "For the capital member projects?"

Currie: "Yes, yes, the mini capital Bill is... is reiterated in Senate Bill 1221."

Franks: "So, that was the one we did back in April that was the..."

Currie: "Yes."

Franks: "...3 billion loan?"

Currie: "Or March, yes."

Franks: "All right. Thank you for explaining that for... to me."

Speaker Madigan: "Mr. Osterman."

Osterman: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Osterman: "I don't want to be redundant, but my colleague from Evanston brought up some good points that... that need to be, I think, highlighted. The fact is that we still don't have a final budget solution and this may be a step in the right direction, but moments ago, to my understanding, the Senate defeated the pension Bill that we passed last week. Or, I'm sorry, yesterday. It seems like last week. So, I guess my question, Madam Majority Leader, is why are we kind of taking this now and not having it be part of an overall solution? All of us heard today from the Governor that the Bill that we sent... apparently was sent to him earlier, will be vetoed and although this is a step in the right direction, it doesn't get us there. So, can we assume that the Governor's going to veto this measure as well?"

Currie: "I don't assume anything about the Governor. I would say that it is my best guess that the Senate will resuscitate Senate Bill 415 and pass the pension obligation notes. As I earlier said, if they don't, then the 2.23 billion that is appropriated here won't be spent."

Osterman: "But this still, even with this Bill and the budget Bills that we have sent him will leave us with a 4 to 6 billion dollar hole in our operating budget from last year's spending."

Currie: "That is right, Representative, but remember, this is the money that we have to spend. We don't have the additional money and I would argue that we ought to responsibly spend the money that is available to us and continue finding a way to further debate and discuss how we

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

could make the budget entirely whole. I do not consider this the end of the story, but I think this is a very important beginning. I don't think we can responsibly leave the State Government unfunded on July first."

Osterman: "If this is a beginning, it's... you know, I'm hard pressed to say this is the beginning. I think that all of us on both sides of the aisle have to redouble our efforts to come up with some funding revenues to help get us as close to whole a budget as possible and I think that as long as we look at this as a step in the right direction, I think that's the way to look at it, but our work is not done. There are education and health and human service programs that have to be funded and cannot be walked away from. So, I appreciate your answers."

Currie: "And I second your Motion, Representative, and I will work with you to do exactly as you suggest."

Speaker Madigan: "Representative Nekritz."

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

Speaker Madigan: "Sponsor yields."

Nekritz: "Representative Currie, I'm looking at the language of the... that you... of the Section that you mentioned about the 2... the appropriation of the 2.23 billion and I have to, you know... no budget expert. Is this language that's ever been used before when the General Assembly has appropriated?"

Currie: "No, but we rarely give such complete flexibility to the Governor in an appropriations Bill as we do with this 2.23 billion in Senate Bill 1221."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Nekritz: "And, and I'm, and I'm... You know, I glanced quickly at the state finance article of the Constitution and you know it's pretty general in and of itself. But it just seems to me that... that... Are there other statutory requirements or other requirement... is there some interpretation of the Constitution that... that allows us to make this rather vague and general appropriation?"

Currie: "Well, we worked with the experts in the Legislative Reference Bureau and they did not suggest that we were behaving in ways that were not thoroughly consistent with constitutional provisions."

Nekritz: "And there's nothing that the Governor then has to come back to us to say, this is how I am spending the money."

Currie: "No."

Nekritz: "There's no legal process by which we would... we would... we could oversee that."

Currie: "No. No. No. And I think... I think we have actually in the past given some Governors a very broad authority to cut budgets. So, the idea of giving a... a general grant of power is not unprecedented, but it... this is certainly an unusual step, but I think it's constitutional."

Nekritz: "Well, I'm... I would certainly agree with that and I would hope it's... you know, I mean it feels in some ways... and I understand why it's happening, but it feels in some ways like we are abdicating our responsibility as the Legislature to appropriate and then have some... have some oversight over that, but I, you know, it's the situation in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

which we find ourselves right now. And to the Bill. I would agree with some of my other colleagues who have spoken that with regard to the 2.23 billion this is a step that... in the right direction. We still have a lot of work to do. It continues to trouble me that we managed to find a billion dollars worth of revenues for our... the capital Bill. And there's a lot of good projects in that and there's a lot of good things in putting people to work in the State of Illinois and I support all those things. But the fact that we could manage to find a billion dollars worth of revenue there, but we can't find the revenues necessary to... to pursue some other very valuable goals and priorities that I think a lot of us in this Legislature hold very dear, that's a very, that's a very troubling thing to me and... and I would agree with my, my seatmate that I'm struggling with... with how to vote on this, given that we seem to be... you know, just... our backs are up against a wall with the timing, but these aren't really not very satisfactory answers. Thank you."

Speaker Madigan: "Representative Ryg."

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

Speaker Madigan: "Sponsor yields."

Ryg: "Thank you. Leader Currie, you mentioned that this is at the appropriation of the available money to be spent based on the actions that we've taken."

Currie: "Yes."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Ryg: "Has there been consideration to the lawsuits that may be filed for the state's failure to fund services important under DCFS, DHS, other the.. agencies."

Currie: "There are some settlement decrees that we have entered into and I suspect that some of those will go back to court. I believe that our legal interpretation is that most of the statutes that we adopt, we are not required to fund. So, I don't know that there is a severe risk of litigation involving our failure to fund some programs."

Ryg: "If we're bound by a court decree to fund services, doesn't that become a priority?"

Currie: "I think what I'm saying is I know that in those.. those court decrees, whether it's a settlement or a court requirement, that there will be.. there may be some requirements about how we actually spend what money we have, but I don't believe that most of our statutes that create programs actually create entitlements. So, I don't think that there is a significant risk that people going to court actually would succeed in requiring us to spend in one area rather than another. But again, the Governor has great flexibility, given the way we are sending the money to him to respond to those pressures and the pressures of the population that is in need of services."

Ryg: "Do we have any analysis of those pressures so that given that the Governor's going to have flexibility, but a court decree requires spending in ways that we have not taken into account in our analysis of the available funds..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Currie: "Well, I... I don't know that we've done the complete analysis, but I would argue that most of those court decrees are in fact decrees that... that we think are important priorities as well. For example, the BH decree was a consent decree. So, the state said yes, it is a high priority for us to help these children in these difficult situations when they are under the care of DCFS. So, I think we've already spoken to the priorities that those programs should play in the state budget."

Ryg: "And I don't disagree that we haven't spoken to the priorities. My concern is have we funded the priorities, so that if this consent decree, for example in the BH case, requires that those funds be spent, we've not accounted for that in the flexibility we've provided in the budget we're passing."

Currie: "And I think there is not a risk of that. I think that the... given that the state had already entered a consent decree, if the court comes back and says, yes, this is the way you must spend it, I am sure the Governor's Office will comply."

Ryg: "At the... so that takes available revenues that we have not accounted for, for implementing the court decree away from programs that we also would like to see funded."

Currie: "Right. Except that as I say, these are consent decrees and I think that means that we, as a state, have said these are priority programs for state spending."

Ryg: "Okay. So, would it be necessary then from a legal standpoint for the Attorney General's Office to actually

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

defend the state that we agreed to a consent decree but we're not funding it?"

Currie: "I'm not sure what the position of the Attorney General would be. I think there obviously it could go one way or the other since the state consented. The Attorney General could be there with the plaintiffs or the Attorney General could say, it's my job to support the state and in these difficult budget times I'm not going to pick and choose."

Ryg: "Okay. Thank you. To the Bill. I think this is a very important piece of this discussion in that we are knowingly offering a budget that underfunds necessary state operations. And if we have been a party to consent decrees, then we risk the consent decree and the courts actually dictating how we are spending our scarce state dollars. So, I think that's a caution that we need to take into consideration and especially at a point when we have not yet resolved the issue and we're voting on legislation that puts certain priorities ahead of a lot of the human service and vital state program priorities. Thank you."

Speaker Madigan: "The last speaker will be Representative Mulligan. This is the last speaker. Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, would you characterize this as a Budget Implementations Act for both a capital Bill and a regular budget, because it has parts for both in there?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Currie: "No. This is an appropriations Bill and it appropriates the capital projects, it appropriates \$2.23 billion that comes from the use of pension obligation notes. There are a few other smaller appropriation items including salaries for state's attorneys and public defenders, but it is an appropriations Bill."

Mulligan: "All right. So, this... for any of this to go into effect the Governor would have to sign this and go along with it, depending on how it fits into his plan, whatever it may be for an overall budget."

Currie: "Yes."

Mulligan: "But most of these are pretty straightforward things that we would probably do whether we have a new budget or not. Is that correct, or is that your estimation?"

Currie: "Well... you can't, you can't do it unless you've got a budget. The Governor can't spend if we don't give him the spending authority."

Mulligan: "Right. All right and as far as the consent decree goes, we have no choice in that. I mean, we agreed and people that weren't around here, there was any number of lawsuits that the state was party to, which we agreed what would happen and there's a federal monitor over that. And when we don't do what we're told to do and my understanding was before that as far as DCFS goes, if the cuts that were suggested for DCFS caseworkers were put into effect that then woefully we'll be going court and we would be paying that no matter what. We have no choice. That isn't... the court is dictating how we spend our money because we agreed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

when we agreed to that suit that we would abide by the court's decision on what we should do in order to protect children that were wards of the state, which at the time we weren't doing a very good job of."

Currie: "Correct."

Mulligan: "So, we have no choice but to agree with some of those consent decrees that we put out there that were agreed to some time ago and there is a monitor over there that watches us. So, as soon as that changes, we're obligated to pay for that."

Currie: "That's right."

Mulligan: "So, we would.. we would have to find the money somewhere. All right. So, what do you think the overall fate of this Bill would be if we changed the budget?"

Currie: "I'm sorry. If we changed the budget, what do you mean?"

Mulligan: "If we changed the budget as perhaps the Governor may want or we go to a line item budget or it changes, what do you think the fate of this appropriation Bill would be?"

Currie: "We could always do another appropriations Bill if we felt a need to..."

Mulligan: "And drop these..."

Currie: "...but I think there is a general agreement that this is the way we should move now, on the eve of July 1, the start of the state's next fiscal year, that we ought to give the Governor the authority to spend the money that we anticipate will be available during the coming fiscal year."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Mulligan: "So, does this supersede House Bill 313 totally, or does it just add the pieces that were left out of it?"

Currie: "This does... this does supersede that Bill."

Mulligan: "All right. Thank you."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you, Speaker. I would agree with those who say this may not be a totally adequate budget, that's why I sponsored the Governor's proposed tax increase. But this is the only available resources we have to spend and it seems to me that we have a basic responsibility to give the Governor the authority to spend the resources we have and continue the discussion, continue the debate, so that we can do an even better job before fiscal year '10 is over. I urge your 'yes' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 110 people voting 'yes', 2 people voting 'no'. This Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Mahoney: "House Rules Committee will immediately in the Speaker's Conference Room. House Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "On page 2 of the Calendar, on the Order of Senate Bills-Third Reading, there appears Senate Bill 349. Mr. Clerk, read the Bill."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Clerk Mahoney: "Senate Bill 349 is on the Order of Senate Bill-
Third Reading. However, there are Amendments on that
Bill."

Speaker Madigan: "Yes. So, Mr. Clerk, would you put that Bill
on the Order of Second Reading. And Mr. Clerk, are there
any Amendments?"

Clerk Mahoney: "Floor Amendments 3 and 4, offered by
Representative Mautino, have both been approved for
consideration."

Speaker Madigan: "Mr. Mautino on Amendment #3."

Mautino: "Please withdraw Amendment #3."

Speaker Madigan: "Withdraw Amendment #3. Mr. Clerk, further
Amendments."

Clerk Mahoney: "Floor Amendment #4."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Speaker. Amendment #4 to Senate Bill 349
replaces everything after the enacting clause. And this
Bill deals with some changes and fixes that refer to the
revenues that were passed by this Body. The original Bill
had the start collection date of the revenues for the
alcohol taxes, the beer, wine, and the candy taxes, hygiene
products to be scheduled for August 1. This moves them to
September 1. We've had discussions with the caucuses and
those who were involved. It allows for timing for
retailers to reset their... their cash registers, their
computer systems, upon being noted... notified by the
Department of Revenue. It allows for the Gaming Board,
under the video gaming side to promulgate rules within, I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

believe, it's 60 days. Upon becoming law, gives them flexibility to implement and create a rules process for that structure itself. It includes on the... in the original Bill cider, which is lump sum taxed with beers, was omitted at the request of the Department of Revenue. We have put that in the Bill and there's been a change to the residency requirement under the Video Gaming Act, where there was a provision in there that said you had to be an Illinois resident and that may have some constitutional problems. That was moved to another Section and a severability was placed in the... within the Bill. Secretary of State has also requested a delay in the imposition of the driver's license and the fees involved in Secretary of State so they can reset their system as well. And that will be on the same time line as the other requests. Be happy to answer any questions."

Speaker Madigan: "Mr. Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Representative, I'm just trying to understand something procedurally. The Amendment becomes the Bill, correct?"

Mautino: "Amendment 4, yes."

Fritchey: "This language does have... well, let me rephrase that. Does this language have the authorization for video gaming?"

Mautino: "No, it doesn't. That passed in a previous Bill."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Fritchey: "Under... understood. So, I wanted to make sure that this wasn't replacing that. This is simply the technical changes that you've outlined, but it's not an underlying reauthorization."

Mautino: "Correct."

Fritchey: "Okay. Thank you very much."

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

Clerk Mahoney: "...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 349, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment 4 became the Bill and I've described that language. I'd be happy to stand to answer any questions. And would ask for a 'aye' vote."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, anytime we come up with one of these Bills, whether it's a cigarette tax or an alcohol tax, the retailer or the distributor always wants to know basically

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

one thing. When the tax goes into effect, and now you've pushed it back to what date in September?"

Mautino: "September 1."

Black: "Okay. I, as a retailer, I may have \$10 thousand worth of beer, thousands of dollars worth of wine and hard liquor in my establishment. Now, does that mean all the liquor I have purchased from my wholesaler, I have to go into my store the next morning and say uh oh, I have to reflect the tax on all of this inventory I've already paid for."

Mautino: "That is a great question. I'm glad you came up with that. We have that question every time we talk about other alcohol or cigarettes. You're talking about a floor tax or an inventory tax. There is not one in this Bill, nor is that the intent."

Black: "All right. So, in other words, I know in the cigarette distribution business they call that a floor tax. I assume it would be the same in the alcohol business. There is no floor tax in this Bill."

Mautino: "That is correct."

Black: "Okay. I thank you for your kind words and it goes to show what we often say down home, even a blind pig can find an acorn every once in a while."

Speaker Madigan: "Mr. Eddy."

Eddy: "Thank you. Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, just a couple of quick questions. This is basically a clean up Bill for the revenue portion of the capital Bill."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Mautino: "That is correct."

Eddy: "It changes some things. So, for those who supported the revenue portion of the capital Bill, this is a consistent vote to... to support the changes that were made."

Mautino: "That's correct and it actually makes those revenues and the streams that were placed in that Bill work better for the Department of Revenue and the retailers who will have to implement them."

Eddy: "Okay. There's..."

Mautino: "And the Secretary of State."

Eddy: "Yeah. And there was one, as I read the text of the Bill, it deals with the distance for the terminals for the video poker machines from... I think originally it was a thousand feet from a school or a church..."

Mautino: "Yeah, there's no..."

Eddy: "...and now it's a hundred feet?"

Mautino: "That's not a new provision, that was in 2424. That's just a reiteration. That's not a new authorization or a change and it sets... it sets the terminals the same as they... it did in the previous Bill. Set the terminals at the same distance required for any other liquor license, which is consistent with how those work."

Eddy: "Okay. So... so that was... that change was made to make it consistent with the liquor license law, which is kind of the guide... guiding force behind the application requirement for the video poker machines?"

Mautino: "Right. That's... and that was in a previous Bill."

Eddy: "Okay."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Mautino: "So, that's not one of the changes here. But..."

Eddy: "All right. I appreciate it and I would urge Members of the Body who supported the revenue portion of the Bill to support these changes. Thank you."

Mautino: "Thanks."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Thank you. Representative, I'm looking at the analysis and part of it has to do with the rulemaking authority of the Gaming Board, correct?"

Mautino: "Correct."

Franks: "And this is letting the Gaming Board have emergency rules that must be promulgated within 60 days of the effective date of the Bill. Correct?"

Mautino: "That's correct."

Franks: "Okay. Is there anything in this Bill that would provide any resources for the implementation of these rules and the up... I guess and the review of these rules to make sure they're being followed?"

Mautino: "Yeah. The Bill doesn't have any appropriation authority within it and since we're lump summing the budget to the Governor, this is one of the items that I think that would be one the highest priorities since it's about a third of the capital Bill."

Franks: "That's... that's my concern..."

Mautino: "And we want to do it properly."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

Franks: "My concern is in the way the original Bill was written 'cause right now the Gaming Board basically oversees nine casinos, correct?"

Mautino: "Correct."

Franks: "And with the potential for every restaurant, bar, VFW hall, truck stop to put in 5 video poker machines, the real effect could be 60 thousand machines or more, correct?"

Mautino: "Correct."

Franks: "Yeah. And that's much larger... which basically, if you break down how many... how many positions are at a casino, that's about an additional 60 casinos in the State of Illinois. And what I'm concerned is that we don't have the resources to be able to police this and to make sure that we're not getting a criminal element involved and that these licenses aren't given by clout. So, I want to make sure that we have some procedural safeguards, but that are actually funded. And I don't see that here."

Mautino: "And that would be a normal appropriations structure, but if you look at the language for what we're requiring that they do the rules on, that would be the criminal history background checks. It would be any ownership with... within that corporation. There's a whole number of items which we would do as standard background checks for anyone wanting to do business with the current casinos. So they have the expertise within that area. I share the interest in funding and I think that they are going to need additional dollars to promulgate rules. They are currently looking at rules from different states that have this in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

place. And they know that it's going to be a large responsibility, as well. So this gives them authority to make the rules that were not in the other Bill."

Franks: "I just don't want the rules to be paper tigers. Because for instance, we've got that self exclusion deal where like 6700 people have signed up where they won't... where they take themselves out so they can't go into a casino. I don't see how you're going to be able to self-exclude when you can have these video poker machines, basically in any bar, on any main street in the entire state. So even though we may have the rules, what I'm concerned about is we're not going to have the ability to have them enforced."

Mautino: "And there should be adequate resources. This is not the type of Bill that does this. This gives the authority, just so that everyone is clear, to make those rules and design what criteria are going to have to be met by the distributor, the terminal offer... operator, the suppliers. Anyone involved down to the people who handle the software and whether it'll be a state system or a different system. So I mean that's... that's the intent of this Bill."

Franks: "Okay. Well, then, to the Bill and I appreciate those answers. I had voted 'no' on the underlying Bill simply because of the video gambling element. And I think with some of the issues that are brought up even though with the changes here I still believe that the Bill will be able to be challenged legally. And I think it'd be prudent for the Governor to... if he want with this capital Bill to make sure

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

that the whole capital Bill does not fail that he amendatorally veto the part with the video gaming. And that's what I'd encourage him to do. Thank you."

Speaker Madigan: "Mr. Mautino to close."

Mautino: "Thank you very much. I appreciate the debate. This Bill takes care of concerns and assists with implementing the revenues. It is... has a severability clause to take care of the concerns of the previous Gentleman and I would ask for an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 81 people voting 'yes', 33 people voting 'no'. This Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, on the Order of Senate Bills-Third Reading there appears Senate Bill 1846. Mr. Clerk, what is the status of that Bill?"

Clerk Mahoney: "Senate Bill 1846 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Put that Bill on the Order of Second Reading. Ladies and Gentlemen, we have one item remaining. Before we move to the final item, we're going to adjourn the Special Session. So, Mr. Clerk, read the Special Session Adjournment Resolution."

Clerk Mahoney:

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

4th Legislative Day

6/30/2009

House Joint Resolution Special Session Resolution 2, offered by Representative Currie. Resolved by the House of Representatives of the Ninety-sixth General Assembly of the State of Illinois, at the First Special Session, thereof, the Senate concurring herein, that when the two Houses adjourn on Tuesday, June 30, 2009, the House of Representatives stands adjourned until the call of the Speaker; and the Senate stands adjourned until the call of the President."

Speaker Madigan: "Majority Leader Currie moves for the adoption of the Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Representative Currie moves that the Special Session of the House now stand adjourned pursuant to the Adjournment Resolution. All those in favor signify by saying 'aye'; those opposed say 'no'. The 'ayes' have it. And the Special Session stands adjourned.. adjourned to the call of the Chair."