

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

121st Legislative Day

April 12, 2000

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Edwin Reuter of St. John's Lutheran of Bremen in Chester, Illinois. Pastor Reuter is the guest of Representative Dan Reitz. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Reuter: "Mr. Speaker, Representatives of the State of Illinois and all you who are visiting, I greet you in the name of our God and Creator and I bring you greetings from the congregations which I serve, St. John's Lutheran Church of Bremen. And I serve two others, that's Peace Lutheran Church in Chester and St. Peter's Lutheran Church, rural route, Steeleville. Let us pray. Oh, Lord God, Heavenly Father, architect and Creator of all that ever was, is and will be, we give You thanks that You have made us a part of Your creation. And in creating us, You have given us expectations for You and for us, that we might praise and glorify You now in word, but also indeed by taking care of what You have created and by taking care of one another. In order that we might fulfill Your expectations of us, Oh Lord, You have given us various potentials and talents. As in this case here as we meet, You have given the Representatives of the State of Illinois the talent and ability of leadership. Be present with them, with the guidance of Your spirit, enable them to fulfill the promises they made as they took office. And as they meet today, enable them to make decisions that are filled with wisdom and as they make preparations for further decisions, continue, Oh Lord, to be with them with wisdom, that all the people of this great State of Illinois might benefit. These things we ask in Your name so that through us and the

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things we decide and do, Your name may be glorified now and forever, Amen."

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

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

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

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

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that all Republicans are present today."

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

Clerk Rossi: "Committee Reports. Representative Schoenberg, Chairperson from the Committee on Appropriations-General Services and Government Oversight, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'be approved for consideration' a Motion to Concur with Senate Amendment... Senate Amendments 1 and 2 to House Bill 1534. Representative Gash, Chairperson from the Committee on Judiciary-II Criminal Law, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendations: 'be approved for consideration' Motion to Concur with Senate Amendment 1 to House Bill 861, recommends: 'be adopted' House Amendment 2 to Senate Bill 1620.

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Representative Novak, Chairperson from the committee on Electric Utility Deregulation to which the following measure was referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'do pass as amended Short Debate' Senate Bill 1653."

Speaker Madigan: "Mr. Hartke in the Chair."

Clerk Rossi: "Representative Novak, Chairperson from the Committee on Environment and Energy to which the following measure was referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'be approved for consideration' Motion to Concur with Senate Amendments 1 and 2 to House Bill 3457. Introduction of Resolutions. House Resolution 761, offered by Representative Scully and House Joint Resolution 65, offered by Representative Monique Davis are assigned to the Rules Committee. Attention, Members, the House Rules Committee will meet at 12:15 in the Speaker's Conference Room. The Rules Committee will meet at 12:15 in the Speaker's Conference Room."

Speaker Hartke: "The Chair recognizes the Lady from Sangamon, Representative Klingler. For what reason do you seek recognition?"

Klingler: "Thank you, Mr. Speaker, a point of personal privilege. I'd like to acknowledge in the balcony behind me, Auburn High School Sophomore's Government Class. There's 15 students up there and their teacher Sandy Jones. I'd like to welcome them to the Capitol."

Speaker Hartke: "Welcome to Springfield. The Chair recognizes the Gentleman from Sangamon, Representative Poe. For what reason do you seek recognition?"

Poe: "For announcement, too and first I want to invite everybody down to Judy Barr Topinka's office from 2:00 to 3:30 for

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Eli's Cheesecake. So, after a while... get down there. And next, we have lunch ready to serve over in this hallway and the first 15 minutes, we're going to let just the Legislators go through first. And then after that, they'll be plenty for staff later. But the first 15 minutes, we want Legislators only. Thank you."

Speaker Hartke: "Thank you, Representative Poe. Recognize the Gentleman from Randolph, Representative Reitz. For what reason do you seek recognition?"

Reitz: "Thank you, Mr. Speaker. I'd like the House to join me in congratulating, I have up in the Speaker's Gallery, the Gibault Catholic High School Bowling Team. I have Eric Frey, Matt Kaestner, Chris Monterusso, Tim (sic-Jim) Mitchell, Aaron Woodside, and coaches Tony Palozollo, Larry Schaltenbrand and the principal Dan Bruegeman. Gibault won the high school bowling championship and if you're like me, it's only been going on for three years and also, Matt Kaestner was the individual high school champion for the State of Illinois. So, I'd like to have the House congratulate them on their victory."

Speaker Hartke: "Welcome team and congratulations. Page 3 of the Calendar, on Third Reading appears Senate Bill 1444, Representative Howard. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1444, a Bill for an Act to amend the Higher Education Student Assistance Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Howard."

Howard: "Thank you, Mr. Speaker. I ask your consideration for Senate Bill 1444. There are three parts to the Bill. The first part creates the Arthur F. Quern Information Technology Grant. This program would be administered by the Illinois Student Assistance Commission and would

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provide need-based grants for retraining in information technology fields to qualified students pursuing additional certification or a degree. Second part was originally House Bill 4270, the Eliminate the Digital Divide Act. This particular part is designed to bridge the gap between those in our state who have and those who do not have access to computer technology and the Internet. My Act has seven components including the development of computer technology centers and locations throughout the state, the establishment of a bridge-funding program that would make it possible for community organizations to purchase hardware, software, et cetera. The third component is the establishment of a pilot program in three community college districts across the state that would offer students courses in computers and Internet and upon completion, would also offer these students a certificate and access to reduced-cost hardware and software. Another component of the program would allow MAP eligible students to purchase computers with funds administered by the Illinois Student Assistance Commission and two, another component establishes a massive refurbishing program for donated computers to be purged and distributed to schools and community organizations across the state. You should also know that a component would create and administer an e-training program for teachers. The third part of this particular Bill has to do with the establishment of the Southwestern Illinois Teacher's Academy for Math, Science and Technology. At this time, I'd like Representative Wyvetter Younge to explain that program in more detail."

Speaker Hartke: "Representative Younge."

Younge: "Thank you. Basically, a teacher's academy of math and science would be established at the Parks College site in

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Cahokia. All of the local educational community are very much in favor of this center being established there and there is a tremendous need for teacher development, teacher training and so, this what it is."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Would Representative Howard yield for a question?"

Speaker Hartke: "She will yield."

Black: "Representative, the underlying Bill is a very good Bill and I don't have any problem with the Amendments. I guess my concern is, it's late in the Session, have you had a chance to talk to the Senate? My fear is they won't concur in these Amendments and then you may lose the underlying Bill which is a darn good Bill and it's so late in the Session, I'd like some reasonable assurance from you that the Senate will at least act on these House Amendments. My fear is they'll just let it sit, we leave and we lose a pretty good Bill."

Howard: "Well, Mr. Black, I'd certainly be concerned about that as well but, as you know, the Arthur Quern Scholarship is the program that was initiated by Senator Dillard so that I think he is interested in this Bill being successful."

Black: "Okay, okay, that's fine. So, you... you have some reasonable assurance that this Bill will continue to move?"

Howard: "I have talked to him and he said he understood."

Black: "Good, okay. That's what I wanted to make sure. Thank you."

Howard: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Howard to close."

Howard: "My colleagues, of course, there are many good programs

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competing for funds in this year 2001 budget but I'm hopeful that as I do, you will think that this program deserves some kind of priority. The Governor of our state has committed \$1.9 billion to, in the next five years, to develop and stimulate the growth of technology in this state. I think we should be no less committed to stimulating the minds of our children and to retraining our adults. I urge you to vote 'yes' for this Bill. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1444?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1444, there were 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Page 9 on Concurrence appears Senate Bill or House Bill 3082, Representative Reitz. Out of the record. Page 9 on Concurrence appears House Bill 3476, Representative Curry. Julie Curry. Mr. Clerk, read the... Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. I would ask this Body to concur with Senate Amendment #1 to House Bill 3476. This Amendment is just a technical Amendment. It puts a limit on the amount of money that can be expended each year for the purpose of building pedestrian crossings. The limit is \$2 million. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3476?' This is final passage. All those in favor

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will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There are still two people not voting. Mr. Clerk, take the record. On House Bill 3476 or on this question, there are 106 Members voting 'yes', 12 people voting 'no', and 0 voting 'present'. And this Bill, having received a Cons... and the House does concur in Senate Amendment #1 to House Bill 3476. And this Bill, having received a Constitutional Majority, is hereby declared passed. Page 8 on the Order of Non-Concurrence appears House Bill 730. Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. I seek to nonconcur in Senate Amendments 1 and 2 of House Bill 730 and I would request a Conference Committee Report."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House recede... Shall the House nonconcur with Senate Amendments #1 and 2 to House Bill 730?' All those in favor, signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Take the record. On this question, there are 106 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House nonconcur in House Bill 730 in Senate Amendments #1 and 2. And a Conference Committee Report has been requested. Recognize the Gentleman from Cook, Representative Harris."

Harris: "Speaker, I'd like to be recorded as 'yes' on that particular Bill, please."

Speaker Hartke: "The record will so reflect. Representative Black."

Black: "Yeah, Mr. Speaker, an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Just so I know what we're gonna do the rest of the day."

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I don't remember having a roll call vote on a Motion to Nonconcur. Are we gonna do that from now on?"

Speaker Hartke: "No, I was in error, we could have done it by a voice vote."

Black: "Mr. Speaker, you're never in error. There might have been a system glitch but I've never known you to be in error, but just..."

Speaker Hartke: "We'll do it on a voice vote."

Black: "Thank you very much."

Speaker Hartke: "Page 8 on Non-Concurrence appears House Bill 2980, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur on Senate Amendments 1, 2 and 5. The board is incorrect and I'd ask that the Clerk change that. There's been a Concurrence Motion filed on #4."

Speaker Hartke: "Excuse me, you wish to concur?"

Mautino: "Excuse me?"

Speaker Hartke: "Do you wish to concur or nonconcur?"

Mautino: "I am nonconcurring in Senate Amendments #1, 2, and 5. A Motion has been filed in writing on those and there's a separate Motion to Concur in Senate Amendment #4, which I believe has to go to committee. The board's correct. Thank you, Sir."

Speaker Hartke: "The question is, 'Shall the House nonconcur in Senate Amendments 1, 2, and 5?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur in Senate Amendments 1, 2, and 5. Mr. Clerk, for an announcement."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "Page 9 on the Calendar, on Concurrence appears

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House Bill 3082, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 3082 deals with hauling anhydrous ammonia. As you recall, when we had the Bill initially, it makes it a felony for the theft of anhydrous ammonia if it's not in an approved container. All the Senate Amendment has done is make sure that previously approved containers are included within this so that we don't take a chance of anyone having an older container and still be... having to take a chance of having a felony charge. As I'd said earlier, our intent is to make sure that we crack down on methamphetamine and crack labs, and the law enforcement community, and Farm Bureau, and Fertilizer Council have all worked together in concert on this legislation to make sure that we can try to take one of these precursors off the market. And I'd appreciate your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 3082?' All those... This is final passage. All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question, there were 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #2 to House Bill 3082. And this question, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, for announcement."

Clerk Bolin: "Attention Members, the Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

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Speaker Hartke: "Page 5 on Second Reading on the Calendar, appears Senate Bill 1046, Representative Mitchell. Bill Mitchell. Out of the record. Page 6 on the Calendar on Second Reading, appears Senate Bill 1647, Representative McAuliffe. Out of the record. Page 3 on the Calendar on Third Reading, appears Senate Bill 23, Representative Turner."

Turner, J.: "Thank you."

Speaker Hartke: "Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 23, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. Representative O'Brien, yesterday, presented Senate Amendment or excuse me, Floor Amendment #4 to Senate Bill 23 which became the Bill and she certainly described what it does, but just to recap on the major provisions. It provides for a ramp down of assessments of nuclear power plants... assessments of nuclear power plants reduced over a six-year period from their current value to fair market value. It also provides for a ramp up by placing limitation on increases or decreases in assessed value of fossil fuel plants and it provides for an expedited process of assessment and appeal. And before taking questions, I'd like to thank Representative O'Brien for all of her hard work on this Bill and Representative Vince Persico and I know there are many others who worked on it very hard as well. I'd be happy to answer any questions."

Speaker Hartke: "The Chair recognizes the Lady from Grundy, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I want to make it very clear to my

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colleagues, especially those on the Democratic side of the aisle who did vote with me last spring on an Amendment that was much more controversial than this one. I want to make everyone very clear that this Bill does not provide for any State General Revenue Funds to be used to subsidize any taxing district in this state. It merely provides for the ramp down and the ramp up of fossil fuel plants and nuclear generating facilities and has a streamline process for the Property Tax Appeal Board for those appeals filed by the utility company or filed in regards to the reduction and assessment. It streamlines that process to save time and money on both the taxing districts' behest and the utilities. That's all this Bill does."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from DuPage, Representative Persico."

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

Speaker Hartke: "The Sponsor will yield."

Persico: "Representative, I know it's quite loud in here today, but I want everybody in this chamber to listen to this question. Representative, is there any funding mechanism in this Bill as it stands now?"

Turner, J.: "No, there is no funding mechanism of any kind whatsoever in the Bill."

Persico: "So, in other words, it only deals with the ramp down of the nuclear power plants, the ramp up of the coal fired plant in an expedited appeals process. Is that correct, Representative?"

Turner, J.: "That is 100% correct, Representative."

Persico: "Okay, thank you. To the Bill."

Speaker Hartke: "To the Bill."

Persico: "The Representatives have worked very hard in negotiating this Bill with the taxing bodies, and the

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utilities, and all other interested parties. And it's our hope that we send it over to the Senate as is and, hopefully, the Senate then can still find time to find some money in the budget in order to really do what we have to do for Senate Bill 23. But right now, there is absolutely no funding mechanism or funds in this Senate Bill 23 and I would ask your support."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Novak: "Mr. Turner, I know, I believe you have a nuclear power plant in your district, John?"

Turner, J.: "Yes."

Novak: "Okay, that's the Clinton... the Clinton plant?"

Turner, J.: "It's DeWitt County, yes, in Clinton."

Novak: "Right, okay. I was the original Sponsor of this Bill in the House and worked on the task force to put this... put this language together so we could provide some type of certainty to the affected taxing bodies as a result of the economic consequences of the historic deregulation law. And as the former speakers indicated, there is not a cent of state money. I hope everyone pays attention to all the speakers here. There's not a cent of state money nor is there a mechanism to provide for a cent of state money to subsidize these affected taxing bodies over and above what they received from the General State Aid Formula and from the State Education Budget. What it does right now, is it provides a good degree of certainty to the assessors in those areas that have the power plants, whether it's a fossil fuel plant or a nuclear power plant. There's been a lot of controversy, there's been a lot of law suits,

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litigation. This would eliminate that and it also provides a certain degree of certainty to the utilities, as well. They know... they realize that from year to year during this ramp up period, as far as the valuation is concerned, they know that there will be a certain amount of assessment increases as well as a certain amount of valuation decreases. So, I think it's a good measure here that we proceed with this and send it back to the Senate so the Senate can concur in this Bill. Thank you, Representative."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, it's been alluded that this legislation won't cost the state any money, but it's gotta cost somebody money. I'd like to know, how does this affect my suburban taxing bodies and my suburban taxpayers?"

Turner, J.: "Do you have a nuclear power plant or..."

Parke: "We do not."

Turner, J.: "... or any other power plant? I don't want to answer anything incorrectly, but it is my opinion, if you don't, it doesn't affect you."

Parke: "But won't my taxing groups have to come up with tax revenue that'll offset your... the impact of this Bill? Won't you have to get the money from the rest of the State of Illinois to offset this cost?"

Turner, J.: "Well, as you know, Representative, we... several Members have tried to get money put into the Bill either from the state or from some other source, but right now, there's nothing in there so there's nothing to offset. So, I don't see how as it currently is written can cost you

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anything."

Parke: "Thank you. To the Bill. I have some very serious concerns. I think you should take a good hard look at this. It is my humble opinion that this will cost the rest of the state money that will either come from property taxes or from reduction in their tax revenue. I understand that the Sponsor and others have worked very hard to come up with a conclusion on this. It doesn't look like they were able to get it. So now, they're coming back to us and asking for it. So, I think it'll have an adverse affect on other parts of the state and I must... I will regretly (sic-regretfully) vote 'no' on it."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Lake, Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Just to the Bill."

Speaker Hartke: "To the Bill."

Osmond: "I think this is a result of the task force many, many hours of negotiation. While I would have preferred that there should be funding in here, I wish that our Body would have taken a look at funding it to complete the obligation that I think it accepted when it passed the Deregulation Bill that affected, positively, all of your districts. I am going to support the legislation because I think that it does have a potential of helping alleviate large swings in property tax revenues in my district and those other districts that have the nuclear plants in it. So, I would urge your support of this Bill."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Champaign, Representative Johnson."

Johnson, Tim: "Thank you, Mr. Speaker and Members of the House. This Bill is absolutely critical to the... I think you could almost argue the economic survival of units of local

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government in selected geographical areas around the state. It's fair, it provides a reasonable mechanism to shield against some of the effects of electrical deregulation and the effects on school districts, townships, units of local government that flow from that. This is a Bill that has been held for some time while negotiations have continued and I really believe and commend Representative Turner, O'Brien, Novak, Persico, and Osmond and others who have devoted themselves to this issue. There's another element which we continue to work on but I think this is a critical first step and one that absolutely needs to be passed. I urge a 'yes' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Hamos: "Representative Turner, if this doesn't get a funding mechanism in the Senate, then how will this Bill help the local taxing districts, especially schools?"

Turner, J.: "Representative, I probably should have made it clearer in my opening remarks is that, if it does not have a funding mechanism, there is an agreement as I understand it that the Senate Sponsor will not call it. So, if we pass it out of the House and it goes to the Senate and there is no funding mechanism, it won't be called. And right now, as I understand it, there is no funding mechanism of any kind."

Hamos: "Well... I mean, you're saying that the only way that this Bill will be effective is if it gets a state subsidy included with it?"

Turner, J.: "Would you repeat that? I'm not sure I understood your question."

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Hamos: "The only way that this Bill will make any sense, will be effective, or even will get called is if it gets a state subsidy?"

Turner, J.: "Well, now, I think that goes a little far. It still makes sense and it still has some substance in it because it has the ramp down and the ramp up. The ramp down, the ramp up in my estimation, could benefit certain areas. I suppose you could argue as well that there could be a detriment in certain areas, but the ramp down and ramp up would still be law if it were passed without a funding mechanism and so to say that it does absolutely nothing would not be a correct statement."

Hamos: "But you just... I thought you just said in response to my first question that this Bill won't even be called unless it gets a funding stream that supports it?"

Turner, J.: "That's what I've been told, yes. I mean... Representative, as you know, once we pass something over to the other chamber, it's out of our hands and I can't tell you unequivocally, absolutely, 100% that it won't be called because I really won't have any say about it. But the understanding between the two chambers and the persons who have worked the hardest on this, is that it won't be called without some funding and there is no funding at this juncture."

Hamos: "Okay. Now, I did some investigating of this Bill last fall and learned that this, in fact, will help school districts that have been among the wealthiest school districts in Illinois, that have the smallest tax rates. What will be the... for example, Seneca Township, a high school district, had a \$13 thousand per student spending level and was paying only a tax rate of 1.41. What does this Bill do for a wealthy school district like Seneca?"

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Turner, J.: "I don't know the answer to that question."

Hamos: "Does anybody know the answer to that?"

Turner, J.: "I would answer it if I could, Representative. I simply don't know the answer. I don't know if Representative O'Brien or Representative Persico or Novak could give you an adequate response to that question."

Speaker Hartke: "Representative O'Brien, would you know how to answer that question?"

Hamos: "The question is, what will this Bill do for one of our wealthiest school districts, Seneca, which had a per student level that was well above the state average but had a tax rate that was well below the state average?"

Speaker Hartke: "Representative O'Brien."

O'Brien: "It would... even if there was funding in the first five years, the Seneca School District would receive zero in state funding because there is a mechanism that was proposed earlier in an Amendment that was adopted that... and that would be part of any funding mechanism that would require taxing districts to do several things, including spending down of reserves and finding some other additional sources of funding. So, even if there were state dollars available in the first five years, Seneca and Braidwood, and I believe there are a few other school districts would receive zero in additional state funds."

Hamos: "Okay, thank you. Mr. Turner, one additional question. Last Friday there was a Bill, Senate Bill... or a House Bill 747 that, in fact, would have done for Cook County the same kind of thing you're trying to do for these school districts, which is to lend some certainty in assessments, and this is as a result of the PTAB rulings. If you remember, we had a lengthy conversation about that Bill last Friday and I noticed that you and two of the others,

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at least three of those five cosponsors voted against that. And it was only going to affect, really, the taxing districts in Cook County, my county. So, I'm wondering... that was, to me, sort of, the worst kind of regionalism. I'm wondering what you can do to convince me, as being outside of these school districts that you're talking about, or these taxing districts, why we should support this, when we didn't get a similar kind of support on behalf of Cook County? You know, I think it's good to think statewide and I probably will support this Bill because we should be caring about children statewide, but I didn't see that same kind of consideration from you or, really, some of the other cosponsors that was really going to just help Cook County taxpayers and Cook County children."

Turner, J.: "I'm sorry, was that a question?"

Hamos: "Yes, it was."

Turner, J.: "Okay, your question is, 'What can I do to convince you to vote for this?'"

Hamos: "I mean, you didn't support the Cook County piece last week. What can you tell us? Why should we, who don't really care about this in terms of our own districts, why should we be supporting Senate Bill 23 on behalf of your district?"

Turner, J.: "Well, Representative, I don't know if you're being facetious or not, but I guess that if you're wanting to know why you would support it is because there are school districts that are going to be affected in a very traumatic fashion because of the devaluation of nuclear power plants and their tax base will just be obliterated, thereby putting a terrible burden, obviously, on the school districts as well as the other local governmental units.

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And so, in the interests of children and in education in... to help out the districts that have... that are going to be taking this hit, that would be one reason, I guess, you could vote for it. I also failed to say that it doesn't affect Cook County, this particular Bill. Senate Bill 23 specifically exempts Cook County, so it won't have any affect on anyone who lives in Cook County. And finally, as I've already indicated to you, there's no funding in this Bill, at least at this juncture. Although, I don't want to misrepresent to anyone in here, we want funding for the Bill. That was the original idea, was to get funding for the Bill. At this juncture, however, we just haven't been successful in doing so. And if that doesn't convince you, then I guess I'll just have to give up. I did want to also say with regard to the Bill that you said I voted against. I read my analysis carefully and it indicated that there was a tax increase, that's what my analysis said, in the Bill that I voted 'no' on. And with the idea that we would be foisting a tax increase upon some of your constituents that was the reason I took the position of voting in a negative fashion."

Hamos: "Well, I am... To the Bill."

Speaker Hartke: "To the Bill."

Hamos: "I'm going to vote 'yes' for this Bill and I would encourage other people to vote 'yes' as well because, really, we should be taking a statewide approach to disparities and to the differences among our school districts. I do want to point out that this Bill also has a tax increase. Representative Turner is not exactly correct in that because to the extent that these districts will get some more state subsidies, they are also being required to increase, with a referendum, their tax rates if

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they are not able to support their schools in the manner in which they had become accustomed, really, with the wealth of these nuclear power plants. I do think that 747 from last Friday, it's important to make these connections, I believe, because 747 would not have affected anyone in this chamber who voted 'no' except those in Cook County. And we needed that Bill for the same kind of certainty in assessments and for the health of school districts in Cook County in the same way that the people from this district are asking for our help. And to the extent that we need to resolve some of these problems on a statewide basis, and I believe we do, we ought to be supporting the school children from this district as well. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the... Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Cowlshaw: "Representative Turner, is there anything whatsoever in this Bill, in its present form, that has to do with 'peaker power' plants?"

Turner, J.: "No, Representative."

Cowlshaw: "You are sure of that?"

Turner, J.: "Yes."

Cowlshaw: "Thank you for your answer. To the Bill."

Speaker Hartke: "To the Bill."

Cowlshaw: "Mr. Speaker, Ladies and Gentlemen of the House, I know that we are very near the end of this Session and therefore there are a number of issues that we may not have had the time to deal with previously that do need to be addressed. And many of us are trying to do what we can here at the eleventh hour to see to it that we produce

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answers to the questions that have been raised to us by our own constituents and people throughout the state. However, what was going to happen in school districts and other units of local government that contain a nuclear power plant when the deregulation provisions began was, I hope, conspicuously obvious to all of us. Most of all, however, it just seems to me that we have a tendency here to pass things that have no funding source and therefore to raise expectations among our citizens and our units of local government that we are not able to fulfill. I think that is a very serious mistake and although this is the eleventh hour and, perhaps, if we had more time, we could have found a funding source. Right now, there is not a funding source. And to vote for something for which we have no funding source, we have no way to pay for this, and yet we pass this to raise those expectations that will not be fulfilled. I do not believe that that is good public policy. I stand in opposition to this Bill. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, when this Bill first came up last fall, I had a discussion with some Members about the fact that it might set a precedent. As you know, my district abuts O'Hare Airport and the benefits of that airport to the state and to the general area that we serve are great. The detriment to some of the homeowners around there in pollution, traffic, noise is great and in discussing solutions for that, there has been a discussion of getting a property tax reduction for homeowners that live within a certain radius of the airport. Don't you think a Bill like

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this sets a precedent for my community to come back and seek additional funding or additional help if we can reduce assessments on local homes because they abut the airport?"

Turner, J.: "Representative, I wouldn't go so far as to say it sets a precedent for exactly what you're talking about, although I think you could certainly argue that there are some parallels. I do think that the education question that this Bill concerns probably makes it a little bit different than the airport. But as I recall, we did vote on a Bill in this House two or three years ago to give some tax relief to those who live by O'Hare Airport. I know it passed through the House because it failed on its first try through and I had voted 'no' and did a Motion to Reconsider and on the reconsideration, it did pass the House and I don't know what happened when it went over to the Senate."

Mulligan: "It did not become law. And the other... the important issue though is in our area, the majority of school funding does come from property taxes. So, if we were to significantly reduce homeowners' property taxes as a concession to the problems they have with the airport, it would highly impact the education of our area. So, I do feel, and from some of the people that I've asked, that this Bill would set a precedent for something such as this. I mean, I... and if it were, I'd gladly support it because I certainly would come back seeking that for my area."

Turner, J.: "Well, Representative you raise a good point again, but remember that it was the massive deregulation Bill that we passed, and we needed to do that obviously, which caused at least to some extent if not totally, the devaluation of nuclear power plants. So, the dereg Bill that we pass as a General Assembly and made law in the State of Illinois to a large degree caused the problems that we're trying to

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address in Senate Bill 23. So, again, the fact that certain legislation that was passed through the General Assembly that became law is a part of this overall equation makes it a bit different than the example you sight. Although, I'm not saying that your example does not have merit."

Mulligan: "I would also draw... Thank you for answering the questions, but I would also draw correlation to the fact that the General Assembly's lack of ability to address either funding for environmental studies or for the Governor or past Governor to sign a Bill that would allow the kind of property tax relief or some concession for soundproofing would also be a detriment to my area that is caused either by the lack of legislation or by the lack of addressing a situation that the General Assembly has allowed to exist. So, I would think it would set a precedent for my community which I will certainly investigate if this Bill were to be successful."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative O'Brien to close."

O'Brien: "Thank you, Mr. Speaker, and thank you, Sponsor Turner, for giving me the opportunity to close. As all of you know, this Bill has been around the block I think at least six or seven times. Everybody here pretty much understands why we're here with this Bill and that's because deregulation has created a tremendous impact for taxing districts that have either a fossil fuel or a nuclear generating facility. They are a little bit different than other types of facilities, especially, nuclear power plants which no one wants to buy and no one wants near their home or near anything else for that matter. But, unfortunately, we have them and there have been benefits, there are

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downsides. We will live with those downsides forever. We are trying to transition into a fair market economy. That's what this Bill does. It doesn't put any additional state tax dollars into the hands of any taxing districts and it does provide for a simplified and streamlined process for property tax appeals. I would just ask each of my colleagues to cast an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 23?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 70 Members voting 'yes', 46 Members voting 'no', 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules... Rules Report."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'to the Floor for consideration', House Resolution 671; to the Order of Concurrence, Senate Bill 355; approved for consideration, Motion to Concur with Senate Amendment #1 on House Bill 2991; Motion to Concur with Senate Amendments 1 and 2 to House Bill 3093; and a Motion to Concur with Senate Amendment #1 to House Bill 4045 have been approved for consideration."

Speaker Hartke: "The Chair recognizes the Representative Currie, the Lady from Cook."

Currie: "Thank you, Speaker. A Motion to suspend posting requirements on some Resolutions. House Resolution 687 and Senate Joint Resolution 25 to be heard in the Committee on

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Environment and Energy; House Resolution 728 in Higher Education; House Resolution 754 in Human Services; House Resolution 699 in Labor and Commerce; House Resolution 460 and House Resolution 513 in Transportation, and I believe that's the extent of my Motion."

Speaker Hartke: "You heard the Lady's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Motion is granted. The Chair recognizes the Lady from Will... excuse me, Cook, Representative Crotty."

Crotty: "Thank you, Mr. Speaker. I rise on a point of personal privilege. A point of personal privilege."

Speaker Hartke: "State your point."

Crotty: "Yes, Ladies and Gentlemen of the House, I ask that you welcome, from Oak Forest, over the podium here we have the Kerkstra School choral group, who entertained in the rotunda today and also, coming into the chamber, we have the Kerkstra Middle School from Oak Forest band, who also entertained. So, if you'd like to welcome them with me, I'd appreciate it."

Speaker Hartke: "Welcome to Springfield. The Chair recognizes the Lady... the Gentleman from Jefferson, Mr. Jones."

Jones, J.: "Thank you, Mr. Speaker. If I might have the Body's attention for just a moment."

Speaker Hartke: "Yes."

Jones, J.: "I think it'd be appropriate that if... that we thank Representative Raymond Poe and his wife, Carol, and his entire staff for the wonderful lunch we had today. Let's give him a big round of applause."

Speaker Hartke: "Thank you very much, Representative Poe. Supplemental Calendar #1 appears House Bill 1534, on concurrence, on Senate Amendment #1 and 2 and Motion #2."

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Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move to concur in Senate Amendments 1 and 2 to this House Bill. This is a supplemental appropriation. Senate Amendment #1 added some items that are immaterial because Senate Amendment #2 deletes everything and becomes the Bill. This is a supplemental appropriation that adds 698,187,000 to the spending for Fiscal Year 2000, of which 325,483,000 is General Revenue Funds. And the remaining 372,704,000 is for transfers, other funds, and spending authorities. It includes items for the Court of Claims, the Departments of Veterans' Affairs, the Department of Children and Family Services, Departments of Human Services, Insurance, Public Aid and numerous other departments. I would be glad to answer questions or provide more detail according to the desire of the Body. I would move that we concur in Senate Amendments 1 and 2."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I rise to support the Gentleman's Motion. We worked with the Governor's Office and the Bureau of the Budget. This is a request from the executive branch. I know we're getting close to wrapping up our work here in Springfield, but clearly the executive branch asked us if we could pass this appropriation Bill as quickly as possible. They fear if we lingered too long that there could be some cases where the state would simply begin to run out of money. So, it is imperative that we pass this provision today, and I'd simply ask for a 'yes' vote."

Speaker Hartke: "Further discussion? Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall

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the House concur in Senate Amendment #1 and 2 to Senate Bill 1534?' This is final passage. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Reitz. Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 1 person voting 'no', and the House does concur with Senate Amendments 1 and 2 to Senate Bill 1534. And this Bill, having received a Constitutional Majority, is hereby declared passed. Excuse me, that was House Bill 1534. Mr. Clerk, for announcement. Supplemental Calendar #1 is House Resolution 471, Representative Durkin. 671, Representative Durkin."

Durkin: "Thank you, Mr. Speaker. I'm not quite sure this is on the floor, but this is a 'Cystic Fibrosis Casino Fling Day'. I want to make that perfectly clear. Some people may think otherwise but this is a very worthwhile organization. A friend of mine, Bart Murphy's son suffers some cystic fibrosis. For the past two years, he has a casino night at Navy Pier and I encourage all to go to that, it's a very worthwhile event. They raised over a \$100,000 last year and we want to do it again this year, and I ask that the House adopt this Resolution."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 671?' All those in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Mr. Clerk, for an announcement."

Clerk Bolin: "A Committee Schedule is being distributed for this afternoon. At 3:00 p.m., the following committees will

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meet: the Agriculture and Conservation Committee will meet in Room D-1; the Environment and Energy Committee will meet in Room 118; the Higher Education Committee will meet in Room C-1; the Revenue Committee will meet in Room 114. At 3:30 p.m., this afternoon, the Human Services Committee will meet in Room D-1; the Labor and Commerce Committee will meet in C-1; the State Government Committee will meet in Room 118; and the Transportation and Motor Vehicles Committee will meet in Room 114."

Speaker Hartke: "The Chair recognizes the Gentleman from Cook, Representative Schoenberg. For what reason do you seek recognition?"

Schoenberg: "Thank you, Mr. Speaker. Please let the record reflect that I wish to concur with Senate Amendments 1 and 2 on House Bill 1654. Thank you."

Speaker Hartke: "The record will so reflect your wishes. The Chair recognizes the Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. The Republicans would request a caucus immediately upon adjournment."

Speaker Hartke: "Representative Lopez. Representative Lopez. Edgar Lopez."

Lopez: "Thank you, Mr. Speaker. The Democrats will caucus in Room 114 upon adjournment, thank you."

Speaker Hartke: "Representative Lang moves now that the House stand adjourned until the hour of 11:00 a.m. on April 13th, allowing perfunctory time for the Clerk. All those in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does stand adjourned 'til the hour of 11:00 a.m. tomorrow."

Clerk Rossi: "House Perfunctory Session will come to order. House Bill's or Senate Bills-Second Reading to be held on

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the Order of Senate Bills-Second Reading. Senate Bill 334, a Bill for an Act regarding electricity excise taxes. Second Reading of this Senate Bill. Senate Bill 1440, a Bill for an Act to create the Local Government Taxpayers' Bill of Rights Act. Second Reading of this Senate Bill. Senate Bill 1899, a Bill for an Act concerning electric utility taxes. Second Reading of this Senate Bill. Senate Bill 1653, a Bill for an Act amending the Public Utilities Act. Second Reading of this Senate Bill. Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendations: 'reassign to the Calendar Order of Resolutions' House Joint Resolution 32 and House Resolution 719. Representative Novak, Chairperson from the Committee on Environment and Energy, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'be adopted' House Resolution 687 and Senate Joint Resolution #25. Representative Erwin, Chairperson from the Committee on Higher Education, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendations: 'be adopted' House Resolution 728. Representative Feigenholtz, Chairperson from Committee on Human Services, to which the following measure was referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'be adopted' House Resolution 754. Representative Stroger, Chairperson from the Committee on Labor and Commerce, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendation:

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'be adopted' House Resolution 699. Representative Pugh, Chairperson from the Committee on Revenue, to which the following measure was referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'be approved for consideration' a Motion to Concur with Senate Amendment #1 to House Bill 4431. Representative Kenner, Chairperson from the Committee on State Government, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendations: 'be adopted' House Resolution 584. Representative Hoffman, Chairperson from the Committee on Transportation, to which the following measures were referred, action taken on April 12, 2000, reported the same back with the following recommendation: 'be adopted' House Resolution 416 and House Resolution 513. There being no further business, the House Perfunctory Session now stands adjourned."