

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

58th Legislative Day

May 25, 1999

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Representative Wanda Sharp of the Progressive Life Giving Word Cathedral in Maywood. Guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Sharp: "Shall we bow our heads in a moment of prayer. Dear gracious and heavenly Father, we come once again to say thank you, God. God, You said in Your word that if we would have the faith of a mustard seed, God, that You would move mountains. So, Father, today we come before You, God, to ask You to move any mountain in our life that's not like You, God. God, move mountains of sickness, God. God, move mountains of division, God. God, move mountains of drugs, God. God, move mountains of prostitutions, God, out of our communities, God. God, we ask You in these things, God. And, God, we ask You for a special prayer, God, as we end this 91st Assembly to pray for our secretaries, God, to pray for everyone that works in this building, God. Our issue persons, God. Our attorneys, God. Everyone that has touched our life, God. We ask You to bless their families, God, in the mighty name of Jesus, God. And, God, we ask You to bring unity in this room, God. Let this unity come and this State Representative Room, God. God, we tear down the walls of division, God. God, let us not seek Democrats or Republicans, God, but, God, let us see one body in You, God, set here to do Your will, God, for the State of Illinois, God. God, once again, we ask You to bless our Leaders, God. Bless our homes, God. Bless our children, God. And encourage our hearts, God, to do Your will, God. And we thank You and we praise You, God, and we give You all the glory, God, because it's You that woke us up this

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morning, God. It's You that poured breath in our bodies, God. It's You that made us... gives us strength and courage to do Your will, God. And, God, we thank You and we give You praise and honor. In Jesus' name and for His mighty sake. 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 Representatives Bugielski, Capparelli and Pugh are excused today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Wojcik is excused and the rest of the Republicans are present."

Speaker Madigan: "Mr. Clerk, take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Mike Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendation: 'do adopt' Senate Joint Resolution #35. Representative Sara Feigenholtz, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendations: 'do adopt' Senate Joint Resolution #37."

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Representative Jack McGuire, Chairperson from the Committee on Aging, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendations: 'do adopt' Senate Joint Resolution #32. Representative Jay Hoffman, Chairperson from the Committee on Transportation and Motor Vehicles, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendations: 'do adopt' Senate Joint Resolution #30. Attention Members, the House Rules Committee will meet at 2:15 in the Speaker's Conference Room. The Rules Committee will meet at 2:15 in the Speaker's Conference Room."

Speaker Madigan: "On page 14 of the Calendar on the Order of Motions in Writing, there appears Senate Bill 286. Mr. Fritchey. Mr. Fritchey."

Fritchey: "Thank you, Mr. Speaker. Having previously voted on the prevailing side on Senate Bill 286, I move that we reconsider the vote."

Speaker Madigan: "The Gentleman moves to reconsider the vote by which this Bill failed. 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 96 'ayes', 14 'noes' and the Gentleman's Motion is adopted. Mr. Clerk, what is the status of Senate Bill 286?"

Clerk Rossi: "Senate Bill 286 has been read a third time, previously. It is on the Order of Senate Bills - Third Reading."

Speaker Madigan: "Place this Bill on the Order of Second Reading. Are there any Amendments? Mr. Clerk, leave this Bill on the Order of Second Reading. Mr. Hannig, do you wish to call

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Senate Bill 618 on page 5 of the Calendar? Mr. Hannig.
(618)."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House.
This is the ordinary and contingent expense of the Office
of the Bureau of the Budget. And I would move for its..."

Speaker Madigan: "Mr. Clerk, what is the status of this Bill?"

Clerk Rossi: "Senate Bill 618 has been read a second time,
previously. Amendments 1 and 2 were adopted in committee.
No Motions have been filed. Floor Amendment #3, offered by
Representative Schoenberg, has been approved for
consideration."

Speaker Madigan: "Is Mr. Schoenberg in the chamber? Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House.
This increases the funding of the Bureau of the Budget by
\$100,000 by the Governor's... above the Governor's
introduced level. And, it just in order to reflect some
additional contractual services that the Bureau will need,
as well as some additions in personal services, contractual
services, EDP and telecommunications, commodities. I'd be
happy to answer any questions."

Speaker Madigan: "Mr. Black."

Black: "An inquiry of the Chair, Mr. Speaker. Yes, did
Representative Hannig present the Bill or the Amendment?"

Speaker Madigan: "The Amendment."

Black: "I see. And he had leave of the House to present that on
behalf of Representative Schoenberg?"

Speaker Madigan: "He did."

Black: "I must not have heard that."

Speaker Madigan: "Right."

Black: "Okay."

Speaker Madigan: "It appeared as if you didn't hear that."

Black: "I... I wondered, I listened very carefully, but it's

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noisy in here. So, that's fine. Just so he had leave."

Speaker Madigan: "All right, the Gentleman 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 Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Hannig. Mr. Clerk, has this been read a third time?"

Clerk Rossi: "The Bill has not been read a third time."

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

Clerk Rossi: "Senate Bill 618, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hannig. Mr. Hannig, on Third Reading."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the ordinary and contingent expense of the Bureau of the Budget. We just added an Amendment increasing it by \$100,000. The Governor's request and GRF this year was 2,981,700, and we just increased that by \$100,000. And I'd move for the passage of this Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. On that question, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I stand in support of the Gentleman's Bill. Hopefully, with the additional increase that they receive, they'll work even a little bit harder as we speak in order to finish drafting the budget so we can all go home. I stand in support of the Bill."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "The Sponsor yields."

Parke: "Thank you. Representative, my question is, is this the final vote? Does this go to, directly to, the Governor? Or does it go back to the Senate in the form of a

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Conference Committee?"

Hannig: "Well, Representative, with the Amendment, the Bill will have to go back to the Senate. But frankly, our intention is that they would send it on to the Governor."

Parke: "So the Senate will concur with this Amendment and then move it on to the Governor for his signature?"

Hannig: "That's correct."

Parke: "Thank you."

Speaker Madigan: "Mr. Hannig, to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This, as I said, is the Bureau of the Budget's proposal for FY 2000. At the request of the Governor's Office, we've increased it by a very small amount. And I would recommend passage of this Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Mr. Clerk, take the record. On this question, 114 'ayes', 0 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk."

Clerk Rossi: "Representative Vince Persico, Chairperson from the Committee on Electric Utility Deregulation, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendations: 'Motion to Concur be Approved for Consideration' Senate Amendment #1 to House Bill 1409. Representative Steve Davis, Chairperson from the Committee on Environment and Energy, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendations: 'do adopt' House Resolution 329."

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

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Speaker Hartke: "The Chair recognizes the Gentleman from Rock Island, Mr. Brunsvold. For what reason do you seek recognition?"

Brunsvold: "Well, Mr. Speaker, down in front there's Dilly Bars that have been purchased by Representative O'Brien and Representative Curry. Their birthdays are in June, so they don't get to celebrate their birthdays, so they have purchased Dilly Bars for the Members. And just for everyone's requirement on their ages, I would like to just say that Mary K. O'Brien is 18 years old and Julie Curry is 19."

Speaker Hartke: "Happy birthday, Representatives. On page 3 of the Regular Calendar appears Senate Bill 369. Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 369 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Schoenberg, has been approved for consideration."

Hannig: "Yes, thank you, Mr. Speaker. I'd ask leave to handle the Amendment in lieu of Representative Schoenberg."

Speaker Hartke: "The Gentleman asks leave to present the Amendment for Representative Schoenberg. Leave is granted. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This adds \$190,000 to the budget for the State Board of Elections; \$50,000 is a new appropriation and 50 is a reapprop, for the completion of Phase II of the Census 2000 Redistricting Program, and it increases by 90,000 the contractual services for the EDP division for purchase of software and upgrades for the mainframe. And I'd move for the adoption of the Amendment."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking... seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 369, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. With the Amendment, this provides for \$7,955,500 of GRF to the State Board of Elections for their ordinary operations. This is a decrease of about 8% from the previous fiscal year. And I'd be happy to answer any questions and move for passage of the Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 369?' 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? Please record yourselves. Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 369, there are 112 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from St. Clair, Representative Holbrook, seek recognition?"

Holbrook: "Thank you, Speaker. I'd like to have the entire House join me in welcoming back Representative Monroe Flinn to the floor. Here's right here in the back today."

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Speaker Hartke: "Representative Flinn, welcome back to the chamber. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Yes, a point of personal privilege, Mr. Speaker."

Speaker Hartke: "State your point."

Black: "Just to make Repres... former Representative Flinn feel at home, I move the previous question. He doesn't hear any better than when he was here."

Speaker Hartke: "Thank you, Representative Black. On page 7 of the Calendar, appears House Bill 523 on concurrence. Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move... This will be a Nonconcurrence Motion, so I move that the House refuse... or nonconcur in Senate Amendments 1 and 2."

Speaker Hartke: "The Motion is to nonconcur with Senate Amendment #... Representative Black."

Black: "Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "What gets confusing is when the board says Concurrence Motion, and then on the last line, it says nonconcur in Senate Amendments. What takes precedent?"

Speaker Hartke: "The Gentleman's Motion is to nonconcur."

Black: "But on the Calendar it was on the Order of Concurrence. You filed two Motions. So which one do you want us to vote on?"

Mautino: "Nonconcur."

Black: "Easy for you to say."

Speaker Hartke: "The concurrence is still in Rules and his Motion is to nonconcur."

Black: "I see. So, the Gentleman's Motion is to nonconcur with Senate Amendment 1 and 2."

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Speaker Hartke: "That's correct."

Black: "And that can be done on voice vote, correct?"

Speaker Hartke: "That's correct."

Black: "Then stop trying to confuse me, Mr. Speaker."

Speaker Hartke: "I'll try not to. The Gentleman's Motion is to nonconcur in Senate Amendments #1 and 2, to House Bill 523. All those in favor will signify by saying 'aye'; opposed... Representative Skinner."

Skinner: "Mr. Speaker, welcome back."

Speaker Hartke: "Thank you."

Skinner: "Could the Sponsor tell us why he wants to nonconcur with Amendment #1, which exempts food and drugs from the increase... from the proposed sales, local sales tax?"

Mautino: "Thank you. It's... It is my intention to ask that a Conference Committee Report be set up, which will include both of the provisions that you see from the Senate Bill and also will add the agreement in the Senate, which extends the date that the tax can be imposed. So, we're working toward here is a Conference Committee Report. And so I'm just setting it up for that process. It will be exactly as the House has voted on this in the past, with the agreements made in the Senate, and will extend any imposition of these should the local referendum pass to 2002. And that was the agreement with the Senate."

Skinner: "Well, Mr. Speaker, I would respectfully ask for a Roll Call, because I don't think we should reject Amendment #1. I like Amendment #1. This is the Amendment that prohibits local government from increasing sales taxes on food and drugs, typically a Democrat Party position, but perhaps not this time."

Speaker Hartke: "Mr. Skinner, the parliamentarian advised me that it is your right to request and to make a Motion to divide

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the question."

Skinner: "Thank you. I do so."

Speaker Hartke: "The Gentleman's Motion is to divide the question."

Skinner: "May I argue in favor of my Motion? May I argue... "

Speaker Hartke: "The question is..."

Skinner: "May I argue in favor of my Motion, Mr. Speaker?"

Speaker Hartke: "No, Mr. Skinner. Parliamentarian advises me that your Motion is not debatable."

Skinner: "Well, I think I have an absolute right to have the Motion divided. So, in lieu of debate..."

Speaker Hartke: "You do that."

Skinner: "...I will accept victory on dividing the Motion. And then I would like to speak on not rejecting Amendment #1."

Speaker Hartke: "The Sponsor has requested we take this Bill out of the record, momentarily."

Skinner: "Okay."

Speaker Hartke: "Mr. Clerk, Rules announcement."

Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room. The Rules Committee is meeting immediately in the Speaker's Conference Room."

Speaker Hartke: "For what reason does the Gentleman from McHenry seek recognition?"

Skinner: "I have been mollified. I withdraw my request. The Sponsor guarantees me that this will come back without a tax on food and drugs."

Speaker Hartke: "Okay. Mr. Clerk, House Bill 523. Representative Mautino."

Mautino: "Thank you, Mr. Speaker, and I appreciate you allowing me to take that Bill out of the record. I spoke with Representative Skinner, and it is our intention to put this in the form of a Conference Committee Report. There is no

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intention to place that tax on food and drugs, so that exemption will be in there. The only thing this adds is the language negotiated with the Senate that says should a community decide they want to do this by front-door referendum, then no tax can be imposed... imposed until 2002. And the Representative has my commitment on that. I will not call the Bill without that specific language. Thank you. And I now move that the House nonconcur in Senate Amendments #1 and 2."

Speaker Hartke: "The Motion is that the House nonconcur with Senate Amendments #1 and 2 to House Bill 523. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does nonconcur with Senate Amendments #1 and 2 to House Bill 523. Representative Bassi in the chamber? House Bill 1845. Mr. Clerk, read the Bill. Representative Bassi."

Cross: "Thank you."

Speaker Hartke: "Representative Cross."

Cross: "Thank you, she asked if one of us could do that. She had to step out. We have a..."

Speaker Hartke: "The House asks leave that Representative Cross be allowed to handle this (sic-House Bill) 1845 for Representative Bassi. Leave is granted. Representative Cross."

Cross: "Thank you, Mr. Speaker. On behalf of Representative Bassi, we move to nonconcur on Senate Amendment #1. We worked out an agreement with... as a result of some concerns Representative Lang had and some others, and we'd appreciate an appropriate vote. The appropriate vote."

Speaker Hartke: "The Gentleman's Motion is to nonconcur with Senate Amendments #... Senate Amendment #1 to House Bill 1845. All those in favor signify by saying 'aye'; opposed

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'no'. In the opinion of the Chair, the 'ayes' have it. And the House does nonconcur with Senate Amendment #1 to House Bill 1845. House Bill 2310, Shirley Jones."

Jones, S.: "On... Wait a minute."

Speaker Hartke: "Take that Bill out of the record."

Jones, S.: "I got it, I got it. On... "

Speaker Hartke: "Take this Bill out of the record, Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendations: 'To the floor for consideration' House Amendment #4 to Senate Bill 286; House Amendment #1 to Senate Bill 1079; House Amendment #1 to Senate Bill 1080; Conference Committee Report #1 to House Bill 52; Conference Committee Report #1 to House Bill 427; Conference Committee Report #1 to Senate Bill 652; Conference Committee Report #1 to Senate Bill 834; Conference Committee Report #1 to Senate Bill 965; Conference Committee Report #1 to Senate Bill 1014; Conference Committee Report #1 to Senate Bill 1088. 'To the Order of Concurrence' Motions to Concur with Senate Amendments #4 to House Bill 1532; Senate Amendment #1 to House Bill 2310; and Senate Amendment #1 to House Bill 2698. Committee Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measure was referred, action taken on May 25, 1999, reported the same back with the following recommendation: 'To the floor for consideration' Senate Bill 1080 to the Order of Second Reading."

Speaker Hartke: "House Bill 2310. Representative Shirley Jones."

Jones, S.: "I concur with House Bill 2310... No, Senate Amendment. I mean I concur with Senate Amendment 1 on

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House Bill 2310. Ask for your favorable vote."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the Motion is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 2310?' All those in favor will signify by saying 'yes'; those opposed 'no'. In the opinion... All those in favor of the Motion... Representative Black, for what reason do you seek recognition?"

Black: "Yes, let's just slow down a little bit, Mr. Speaker. You said this was a nonconcurrence, and it's a concurrence. And that you said no one was seeking recognition, and I have been."

Speaker Hartke: "Representative Jones, are you concurring or nonconcurring?"

Jones, S.: "I said I was concurring with Senate Amendment #1 to House Bill 2310."

Speaker Hartke: "Okay, the Chair was in error. I understood her to say nonconcur. The question is, 'Shall the House concur... Representative Black. Do you have a question?"

Black: "Yes."

Speaker Hartke: "Please proceed."

Black: "Oh, thank you very much. Would the Sponsor yield?"

Speaker Hartke: "She will."

Black: "Representative, the Senate Amendment simply removed the definition of 'harass' in the underlying Bill. Is that correct?"

Jones, S.: "Yes."

Black: "And the underlying Bill has nothing to do with telephone harassment or stalking?"

Jones, S.: "No."

Black: "The reason I ask you that, I had a call, and they said... They thought it had something to do with telephone stalking

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or harassment."

Jones, S.: "No."

Black: "And I don't find it in the Bill. I just want to make sure I'm right."

Jones, S.: "No. It don't."

Black: "So it's a... All the Bill does is extend the Stalking Bill that we've already passed, and the Senate Amendment deletes the word, 'harass'. Correct?"

Jones, S.: "Yes."

Black: "And I think the underlying Bill passed the House, wasn't it unanimous?"

Jones, S.: "Yes."

Black: "Okay, fine. Thank you, Representative."

Jones, S.: "You're welcome."

Black: "Thank you, Mr. Speaker."

Jones, S.: "You're welcome."

Speaker Hartke: "Further discussion? Seeing that no body is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2310?' 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? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2310."

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

Speaker Hartke: "On page 9 on the Calendar on Concurrences appears House Bill 2698. Representative Franks."

Franks: "Thank you. I move to concur with Senate Amendment #1, which would take out the condemnation rights on this Bill. The... This Amendment takes away the realtors opposition to this Bill."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, you said that the Senate Amendment took out the power of condemnation. How many counties are covered under the underlying Act? I mean ... excuse me. According to our analysis, the counties impacted are McHenry, Sangamon, Peoria, and Champaign."

Franks: "Correct."

Black: "And this Amendment would prohibit any township in those counties from using the... their condemnation powers to obtain land, to develop open space. Is that... that your understanding?"

Franks: "Yeah, well the history of this is that every other county with 250,000 or more would be able to have these open space districts. So, my Bill initially lowered the threshold to 150,000. The Amendment says, 'For those counties between 150,000 and 250,000, they would not have condemnation powers.'"

Black: "So we're not granting them any extraordinary power then."

Franks: "Correct."

Black: "All right, thank you."

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

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

Speaker Hartke: "He indicates he will."

Moore: "Representative, it's my understanding that citizens wishing to have an open space district in their township currently have the authority to place that question on the ballot, and it can be approved by referendum. How is

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your..."

Franks: "It was my understanding that there... that we didn't have that ability with... for counties with less than 250,000."

Moore: "No, no, there is. Libertyville Township has an open space district."

Franks: "No, but not, not with those counties less than 250,000."

Moore: "Oh, so this is..."

Franks: "My initial Bill was to increase the universe of those counties that could avail themselves to this, to lower the threshold to 150,000 population. Because right now, McHenry County cannot avail themselves to creating an open space district."

Moore: "What is the population threshold on the current law?"

Franks: "Two hundred and fifty thousand."

Moore: "And McHenry County has less than that?"

Franks: "Yes, Ma'am."

Moore: "And it's also my understanding that the current law, where there are townships, does not provide for eminent domain authority. And your Bill will be the same?"

Franks: "No, there will be no eminent domain authority. It would have to be a willing purchaser and a willing seller."

Moore: "And, will your provisions be the same to set out the authority for bonding?"

Franks: "We've changed nothing in the underlying Bill, except the population requirement from 250 to 150,000. And the only difference is when you're between 150,000 and 250,000, you would not have condemnation power. Because right now, those counties with an excess of 250,000 do have that condemnation power."

Moore: "What's the genesis of this? Was there someone in your township that asked that you bring it forward?"

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Franks: "Well, it's an all... It's an all McHenry County Bill, quite frankly. Representative Skinner and I are cosponsors and Senator Klemm in the Senate carried it there. We need it in our county. We're the fastest growing county in the State of Illinois, yet, we don't have the same rights that other counties do, to create these open space districts."

Moore: "Could you create a forest preserve district?"

Franks: "That's been another avenue that's been discussed in the Senate. But that's much different than an open space district, as you know."

Moore: "And isn't there a conservation district currently in McHenry County?"

Franks: "Yes. And a Bill passed here unanimously to have that conservation district freely elected. But that's being held up in Rules right now in the Senate."

Moore: "So currently, that's appointed and that's not satisfactory?"

Franks: "We believe that we need more accountability to the taxpayers. I... the McHenry County Conservation District's budget is in excess of \$12,000,000. And they're... They don't have to answer to the taxpayers directly. And we'd like to see some more accountability."

Moore: "And so you're not satisfied with the way the McHenry Conservation District has been functioning?"

Franks: "No, I think they're doing an excellent job. But the fact of the matter is, we need more accountability in government. And I believe the more accountability we have, the better government we're going to have."

Moore: "Well, how are they not accountable?"

Franks: "They don't have to defend their budgets and they are a taxing body."

Moore: "So, who... does do levy for them?"

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Franks: "Pardon me?"

Moore: "Who does levy for the conservation district?"

Franks: "It goes through our... We got it on our tax bill."

Moore: "But, who does the levy?"

Franks: "They... It would be the Conservation District Board.
They have the ability to levy. Last..."

Moore: "Well, then why, why don't they have to defend their
levy?"

Franks: "Because they're, they're appointed by..."

Moore: "Well, that doesn't mean they don't have to explain their
levy and follow the law."

Franks: "I wish... I'm not saying that, but they don't... The
voters don't have any input on the McHenry County
Conservation District. But I just want to bring us back to
this issue. This is not about the McHenry County
Conservation District."

Moore: "Well, it really is in some ways, because preservation of
open space in urbanizing counties really needs to be
approached from a regional perspective. And townships...
How many townships are there in McHenry County?"

Franks: "At least nine."

Moore: "Nine townships?"

Franks: "At least, there's more, I can't think of them all right
at this moment."

Moore: "Normally, townships... Township open space districts
currently have to buy more than 40 acres. It can't be
farmland, which would take up a big proportion of your
area. There are so many restrictions currently in the
Township Open Space Act, that though this sounds like a
really good idea, it's really not a very practical idea,
because, because the property is pretty restricted. Trying
to find a willing seller that will pay, that will be

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willing to sell property that is not farmland, is almost impossible."

Franks: "But I do believe that those counties with less than 250,000 or more than 150 should avail themselves and have the same rights as those citizens in counties of 250,000 or more. And that's all we're asking for, is equal treatment."

Moore: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Speaker, I rise in support of this Bill and also to answer one of the questions of Representative Moore. She asked, 'What is the genesis of this Bill?'. It was requested by Linda Stehl, who is the President of the Carey Citizens for Conservation. This Bill passed unanimously when we saw it on the first version, when it was a stronger Bill. So, I hope it will pass unanimously this time, when it is a weaker Bill."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Representative Franks, what committee did this Bill go through?"

Franks: "It went through Urban Revitalization."

Parke: "I'm sorry?"

Franks: "Urban Revitalization."

Parke: "And in committee, did the realtors and the home builders object to it or did they stay neutral on it?"

Franks: "The realtors objected. I think their main objection, Representative, was because there was condemnation powers. And that's been fixed now in the Senate. The realtors called me and asked if I'd agree to this Amendment. And I

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agreed to it and that took off their opposition."

Parke: "Are you saying that this is the Amendment for the home builders and the realtors, I mean?"

Franks: "I know that... I'm not sure about the home builders, but the realtors called me. And in their last newsletter, they thanked me in it."

Parke: "So, is this Bill now supported by them?"

Franks: "I know there's no opposition to... from the realtors at this point, because of that Amendment. At least that's what I'm led to believe. Because they wanted this Amendment, and we provided that Amendment, and they thanked me for the Amendment and thank for working... thanked me for working with them."

Parke: "Do you... So as far as you know, this went through Urban and Redevelop... Revitalization. They did not object."

Franks: "They did object in the committee, but it did pass... and in committee they objected in the House."

Parke: "Yes."

Franks: "But then we brought it to the House vote and it passed unanimously. Thereafter, in the Senate, that's when we put on the Amend... The Amendment was put on that where I'm asking for people to concur today."

Parke: "Right. But, I'm saying what the Amendment put on in the Senate, is this acceptable to them now?"

Franks: "Yes."

Parke: "Well, to the Bill. If... I will value the Sponsor's word that this is acceptable to the realtors and home builders. And therefore, if it's acceptable to them, I no longer have any objections. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

Cross: "Thank you. Parliamentary... Parliamentary inquiry of the

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Chair."

Speaker Hartke: "State your inquiry."

Cross: "Does this preempt home rule? And then will the Sponsor yield?"

Speaker Hartke: "We'll check into that and the Sponsor will yield."

Cross: "Representative, I'm trying to make sure I understand this. This only applies to a township, if I read this correctly, in a county having a population of more than 250. Is that correct?"

Franks: "I'm sorry. I couldn't hear you, Representative."

Cross: "This only applies to townships?"

Franks: "No, it applies to counties with populations between 150,000 and 250,000 and townships within those counties."

Cross: "Where does it... Where does it say it applies to counties? It looks like it only applies to townships in a county having a population of more than 250."

Franks: "Well, townships within counties. I was including the whole universe there."

Cross: "So, a county still has the ability to condemn by... through eminent domain."

Franks: "I haven't changed anything with the counties."

Cross: "A municipality still does."

Franks: "I haven't changed anything."

Cross: "How many... How many counties... Does this only apply to your... to McHenry County?"

Franks: "No, it applies to a few other counties, as well."

Cross: "What other counties are between a population of 250 and 500? I'm sorry, no township in a county having a population of more than 150, but not more than 250."

Franks: "I don't have the list in front of me. I think one of the other speakers had mentioned those counties."

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Cross: "All right. So, and the gist of your Bill is if you're a township in one of these counties, you don't have any condemnation power. Is that correct?"

Franks: "Correct. Between 150 and 250,000."

Cross: "In the area... In the area or the... on the issue of implementing an open space project. Is that correct?"

Franks: "That'd be correct."

Cross: "So this is... This will stifle any open space projects, at least through condemnation under this Bill. Is that correct?"

Franks: "No."

Cross: "Why not?"

Franks: "Because, right now there aren't any open space possibilities in a county with less than 250,000. We're actually giving them opportunities. The way you stated it was absolutely incorrect."

Cross: "So, why are we doing it if there aren't any possibilities?"

Franks: "Because we don't have the right, because we don't have 250,000 population. This would give us that right."

Cross: "Give you what right?"

Franks: "To create the open space district."

Cross: "So, you're creating an open space district, but you won't be able to acquire the land by condemnation. Is that correct?"

Franks: "Correct."

Cross: "So..."

Franks: "In the open space district, I'm not creating, I'm giving them the avenue to create it if they so choose. But right now, we don't even have that choice. And our citizens should be treated equitably."

Cross: "So, if one... If one homeowner wants to prevent the

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implementation of a open space project by a township, they can do that."

Franks: "I'm not sure I understand your question."

Cross: "You can't condemn property. Say you need ten pieces of property to implement or enact the open space project, and nine agree to it, but one doesn't, you can't do it. Is that correct?"

Franks: "Well, maybe not in the form that you initially thought, but I ..."

Cross: "Maybe what?"

Franks: "Maybe not in the form that they initially presented, but there's always compromise."

Cross: "But you can't condemn that tenth piece of property."

Franks: "If that's your question, no, you cannot condemn that tenth piece of property."

Cross: "What would keep the county board from coming in and condemning this particular piece of property, or any particular piece of property, for an open space project or a municipality? There's no, I mean why don't you broaden this to include everybody, every governmental unit?"

Franks: "Cause, that's not the intent of this Bill."

Cross: "Well, what's the intent?"

Franks: "This Bill is to give people a choice, if they'd like to create an Open Space District Act, that now they have that choice. And I don't want to force that choice upon them, but I want them to at least have the availability of that choice."

Cross: "But what if, what if a municipality is located within that township and they want to create an open space program?"

Franks: "That's not the substance of this Bill. That would be independent of this."

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Cross: "So, there's nothing that would prohi... prohibit the municipality from having an open space program."

Franks: "No."

Cross: "Same with the county board."

Franks: "Correct."

Cross: "All right. And you... You're sure that given the fact that this appears at least to be special legislation for your area, will withstand constitutional scrutiny?"

Franks: "Yes."

Cross: "Okay. I have no other questions."

Speaker Hartke: "Mr. Cross, an answer on your parliamentary question."

Parliamentarian Uhe: "Representative Cross, on behalf of the Speaker and in response to your inquiry, the Bill as amended by Senate Amendment #1 amends the Township Open Space Act, which applies only to townships. The Illinois Constitution does not provide for home rule powers for townships. Therefore, this Bill, as amended by Senate Amendment #1, does not preempt home rule."

Speaker Hartke: "Further discussion? Mr. Cross."

Cross: "Will the Chair rule on the issue of special legislation and whether or not this piece of legislation is special, and indeed perhaps, unconstitutional? Is that something the parliamentarian can rule on?"

Parliamentarian Uhe: "Representative Cross, on behalf of the Speaker and in response to your inquiry, the issue of special legislation is not one which I'm empowered to rule upon as parliamentarian."

Cross: "So that's just up for the courts. That'll be up for a court to decide?"

Parliamentarian Uhe: "That's correct."

Cross: "Oh. Okay. All right. I'm sorry. Thanks."

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Speaker Hartke: "Mr. Franks, to close."

Franks: "This is not special interest legislation. This applies to many counties. It's not just McHenry County. So, I believe my... the prior speaker was suffering from premature adjudication on that. I would ask for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2698?' 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 102 Members voting 'yes', 10 Members voting 'no', and 1 Member voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2698. And this Bill having received a Constitutional Majority is hereby declared passed. On page 6 of the Calendar on Senate Bills - Second Reading appears Senate Bill 1079. The Chair recognizes Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1079 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is a Budget Implementation Bill, and Floor Amendment #1 would remove the effective date, so we could get it in conference. And I move for the adoption of the Amendment."

Speaker Hartke: "Is there any discussion? Seeing that no one seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 1079?' All those in favor signify by saying 'aye'; opposed 'no'. In the

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opinion of the Chair, the 'ayes' have it and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 1079, a Bill for an Act to create the Budget Implementation Act for Fiscal Year 2000. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The previous Amendment removed the effective date for the purposes of allowing us to pass this Bill, send it over to the Senate for the purposes of getting it in conference and having it available for whatever we need to address as a budget implementation item. So I'd move for the passage of the Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one seeking recognition, the question is, 'Shall the House pass Senate Bill 1079?' 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? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does pass Senate Bill 1079. This Bill having received the Constitutional Majority is hereby declared passed. Clerk, for an announcement."

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

Speaker Hartke: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. An inquiry of the

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Chair."

Speaker Hartke: "State your inquiry."

Black: "We've been in Session one hour and Rules Committee has already met twice. Couldn't we just, with leave of the Body, say that Rules Committee would meet in perpetuity as long as we're in Session, and they could just kind of go to the back of the chamber here? That's the way we use to do it, as you'll recall, Representative Matijevich use to just meet in the back. I mean, we'd give you leave, just kind of meet, just continually."

Speaker Hartke: "We'll take it under advisement. Representative Novak in the chamber? On page 8 of the Calendar appears House Bill 1409. Representative Novak."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I now move that we concur in Senate Amendment #1 to House Bill 1409. Senate Amendment #1 is the Bill. It was added for the investor-owned water companies. What this... What this Bill does now is that it sets in motion enabling legislation, so the Illinois Commerce Commission and privately-owned water companies can put together alternative rate-making for infrastructure improvements. You know, we were here just about three or four days ago debating the Illinois First Program. I think everybody in this Body realizes that our infrastructure in this state needs to be fixed. Our roads, our bridges, our schools, our water systems, our sewer systems, to name a few. What this Bill will do, will allow the private water companies to get involved in their communities where they... where a private company operates to improve their infrastructure. This is very important to the public health and public safety of our constituents. It's important in the fact that a lot of these dollars, capital dollars, will be put

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back in and invested to upgrade water mains and water lines to our constituents' businesses and homes. Be more than happy to entertain any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. First, I have an inquiry of the Chair regarding a Floor Amendment."

Speaker Hartke: "State your inquiry."

Black: "Yes, has Floor Amendment #1 ever been adopted to the Bill?"

Speaker Hartke: "Mr. Clerk."

Novak: "Mr. Black. Oh, I'm sorry. The Chair... Mr. ..."

Black: "I'm sorry, Representative."

Novak: "Yeah, Mr. Black, when we were in committee, I was a little confused, because I saw this language in our analysis dealing with the Citizens Utility Board. That is not in the Bill."

Black: "Okay, that's what I just wanted to make certain..."

Novak: "Thank you."

Black: "... that it does not appear in the Bill by any accident or whatever."

Novak: "You are correct. That is not in the Bill, Sir."

Black: "Has the Clerk checked Floor Amendment #1, sponsored by Representative Scott, has not been adopted? Okay, thank you. Would the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, it's been suggested by some that Illinois is breaking new ground with this legislation. I don't believe that's the case. Haven't other states done this as well?"

Novak: "Yes, the State of Pennsylvania, they have embarked on a very successful water main replacement and rehabilitation

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program. As a matter of fact, the National Association of Water Companies, and as well as the National Association of Public Utility Commissioners, has looked at the State of Pennsylvania's Bill, law as a model for other states to follow. So this Bill sort of follows along Pennsylvania's lines."

Black: "Well, I understand that Ohio is also looking at the Bill and there's a great deal of similarity between Illinois, I think, and Ohio."

Novak: "Yes, Sir."

Black: "Let's clear up one other misconception, and that is that somehow this enables an investor-owned water utility to bypass or somehow escape the scrutiny of the Illinois Commerce Commission. I don't believe that is true."

Novak: "No, that it is not correct, Representative Black. I'm glad you asked that question. That question was posed in committee this afternoon, and what this Bill does, is again, it enables the private utility companies to enter into negotiations with the Illinois Commerce Commission, which is a duly constituted public body that will make the final decisions."

Black: "Well, thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "Ladies and Gentlemen of the House, if you look at this Bill very carefully, it's a piece of legislation that probably is necessary and long overdue. I realize there will be those who look at the language and don't think they could or should vote for it. But unfortunately and particularly in, and I'm south of Representative Novak's district, and many of the communities in my district long ago celebrated their centennial or their sesquicentennial,

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and it's just a matter of economics that the water mains have to be replaced on somewhat less than a 1,000 year basis. I think this is reasonable legislation that will cut that at least in half and let the utilities get on about the business of meeting the new federally mandated clean water standards and making sure that our mains do not, as we did years ago with lead joints or galvanized or what have you, we can't do that any more. And we need to get those corrected, and I think this is a positive step in that direction, and I join with the Sponsor in urging an 'aye' vote."

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

Novak: "Yes, thank you, Mr. Speaker. I simply ask my colleagues to join me in concurring in Senate Amendment #1 to House Bill 409. Excuse me, (sic-House Bill) 1409."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1409?' 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? Mr. Clerk, take the record. On this question, there were 68 Members voting 'yes', 41 Members voting 'no', 4 Members voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1409. And this Bill, having received a Constitutional Majority, is hereby declared passed. On... Committee Report."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson for the Committee on Rules, from which the following measure was referred, action taken on May 25, 1999, reported the same back with the following recommendation: 'to the floor for consideration' House Amendment #1 to

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Senate Bill 1080."

Speaker Hartke: "Mr. Clerk, what is the status of Senate Bill 1080? Representative Hannig."

Clerk Rossi: "Senate Bill 1080 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is an additional Budget Implementation Bill that we would like to put in Conference Committee. And the Amendment takes the effective date off the Bill for that purpose. And so I'd move for the adoption of the Amendment."

Speaker Hartke: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I join in Representative Hannig and his desire to move this Bill, so that we can move the budget along."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 1080?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 1080, a Bill for an Act to create the Budget Implementation Act for Fiscal Year 2000. Third Reading of this Senate Bill."

Speaker Hartke: "You've heard the explanation. All those in favor of the passage of Senate Bill 1080 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 111 Members voting 'yes', 1 person voting 'no'. And the House does pass Senate Bill 1080. This Bill having received a Constitutional Majority is hereby declared passed. Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I would like the record to reflect on House Bill... on the Bill 1409, that I inadvertently hit the wrong button, papers over them. And I would have liked to be recorded as 'no'."

Speaker Hartke: "The Journal will so reflect your wishes. On Supplemental Calendar #1 appears House Bill 52. Mr. Clerk, read the Bill. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the Assembly. This is a First Conference Committee Report for a number of agencies. For the Illinois Arts Council, \$250,000 over the Governor's level; for the East St. Louis Financial Advisory Authority, no change from the Governor's level; and I'm talking in terms of GRF in all cases; Employment Security, no change; EPA Trust Fund, no change; Farm Development, no change from the Governor's level; Department of Insurance, no change; Lottery, no change from the Governor's level; Medical District, no change from the Governor's level; Military Affairs, no change from the Governor's level; Nuclear Safety, \$30,000 over the Governor's level; Planning Council of Disabled... Developmental Disabilities, no change; PCB, no change; PTAB, no change; Racing Board, no change; SWIDA, no change; and IDOT, new and reappropriations, no change from the Governor's level. It's our intention to take a number of these noncontroversial agencies that are mostly at the Governor's level and to send them on to the Governor and get this part of the budget finalized, so that

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we can allow the Bureau of the Budget to devote additional time to get the rest of the budget items in line, so that we can vote on them at a later time, and adjourn. So, I'd be happy to answer any questions concerning these budgets."

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

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

Speaker Hartke: "He indicates he will. Can we have some order in here, please? Shhh. Representative McKeon."

McKeon: "Thank you, Mr. Speaker. I'm sorry, with all the noise in here, Representative, could you tell us what the impact on the Arts Council budget is of the Conference Committee Report?"

Hannig: "Yeah, there's \$250,000 increase for the Humanities Program and related activities, Representative."

McKeon: "What is the overall net increase for the Council based on previous years' budget?"

Hannig: "Representative, the total, final number will be, in GRF, will be 13 million... excuse me, 12,947,900."

McKeon: "And my question was, what... How does that compare to the previous year's allocation?"

Hannig: "Representative, one of the problems we're having right now, and I'll have to have the staff pursue it, is that last year there were a number of add-ons to this agency, where it had been rolled back, so it actually looks like it's a reduction, but it's not a reduction. It's basically at the Governor's level."

McKeon: "Right, and I'm not concerned about add-ons. Could you get... ask staff to get me that information, and I'll go ahead and withdraw my other question."

Hannig: "I could."

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Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 52?' This is final action. 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? Mr. Clerk, take the record. On this question, there were 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does adopt Conference Committee Report #1 to House Bill 52. And this Bill having received a Constitutional Majority is hereby declared passed. On page 8 of the Calendar on Concurrence appears House Bill 1532. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I filed a Motion to concur in Senate Amendment #4. This takes care of several budgets of approximately total dollars of 1,784,000,000 of which 1,000,000,000, 200... 2,000,000 is GRF. In addition to that, there's some other state funds and federal funds. It is the budget for the following agencies: Department of Children and Family Services, Commerce Commission, Comprehensive Health Insurance Plan, Criminal Justice Information Authority, Deaf and Hard of Hearing Commission, Education Labor Relations Board, Emergency Management, Guardianship and Advocacy, Health Care Cost Containment Council, Human Rights Commission, Industrial Commission, Judicial Inquiry Board, the Department of Labor, Prairie State 2000, and the State Police Board. I would be happy to answer any questions on this Appropriation Bill. Mr. Speaker, I should also add that in the event that we do concur in the Senate Amendments, that this would be the final vote on the budgets that I just listed. This would be final action."

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Speaker Hartke: "Mr. Ryder, is it your intention also to concur in Senate Amendment #1?"

Ryder: "No."

Speaker Hartke: "The Chair recognizes the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I apologize for the confusion. Amendment #1 was superseded by Amendment #4; #4 becomes the Bill. But in order to move this Bill directly to the Governor, I believe that it would be appropriate to go with Representative Hannig's Motion, which is... the first Motion to concur in both Senate Amendments 1 and 4. The result is the same. It does contain all of the budgets that I just indicated to you. And I would be happy to answer any questions in that regard."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. I would just rise in support the action of Representative Ryder. We've tried to work together to move some of the smaller agencies and those agencies which we feel there are no controversy onto the Governor's Desk. And so I'd ask for a 'yes' vote."

Speaker Hartke: "The Motion by Representative Hannig is to concur. And the question is, 'Does the House concur in Senate Amendment #1 and 4 to House Bill 1532?' This is final action. 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 112 Members voting 'yes', 1 person voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 and 4 to House Bill 1532. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Representative Skinner, for what reason do you seek recognition?"

Skinner: "Well, I guess my question is untimely. I was wondering why Amendment 4 wasn't listed on our systems, so none of us could know what's in it."

Speaker Hartke: "Committee Report."

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

Speaker Hartke: "Supplemental Calendar #1 on Conference Committee Reports appears House Bill 427. Representative Lyons, Joe Lyons. House Bill 427."

Lyons, J.: "Speaker, I need to take this out of the record momentarily."

Speaker Hartke: "Mr. Clerk, what is the status of Senate Bill 251?"

Clerk Bolin: "Senate Bill 251 is on the Order of Senate Bills - Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purposes of an Amendment, at the request of the Sponsor. Representative Hultgren. Supplemental Calendar #1 appears Senate Bill 834, Conference Committee Report #1. Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. This is a Conference Committee that has been completed, language has been put in, agreed to by the Senate. We'd ask for final passage on the Conference Committee. What this is doing... Could you take this out of the record for a moment, please?"

Speaker Hartke: "Out of the record. Clerk, what is the status of Senate Bill 286? Steve Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 286, the Bill's been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill in committee. Floor Amendment #3 has been

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adopted. Floor Amendment #4, offered by Representative Steve Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis."

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment #4 becomes the Bill. If you will remember, the original Bill had four provisions in it that included compensation increases for commissioners of airport authorities. It also had a provision that would lower the term limits for certain airport authorities. It also had a provision to allow the Metropolitan Water Reclamation District to increase their salaries. All three of those provisions have been removed from the Bill. The only provision left, which is in Floor Amendment #4, is the provision that would remove the requirement for the Illinois Department of Transportation to conduct an annual program audit... of the Metropolitan Airport Authority. And I would move for the adoption of the Amendment."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, the... I don't have a hard copy of Floor Amendment #4, so I'm gonna take it off the laptop. Floor Amendment #4 says that it becomes the Bill, and the only language in Floor Amendment #1 deletes a provision in current law that requires IDOT to audit the DuPage Airport Authority and that was suggested by IDOT... So Amendment #4 becomes the Bill, and I heard you say this, but let me make sure because people don't often, don't always pay attention. There is no longer language in the Bill about raising the salary of airport authority commissioners,

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right?"

Davis, S.: "That's correct, that has been removed."

Black: "And there is no longer language in the Bill about a annual salary increase for certain Metropolitan Water District... Metropolitan Reclamation Water District personnel."

Davis, S.: "That's correct. ..."

Black: "That has been removed from the Bill. Some people wonder how this Bill got back. There was a Motion to reconsider this Bill earlier today, was there not?"

Davis, S.: "That's correct."

Black: "So it was returned to Second Reading, and we're going to adopt the Floor Amendment. You've so move to do that?"

Davis, S.: "That's correct."

Black: "And then Floor Amendment #4 becomes the Bill."

Davis, S.: "That's correct."

Black: "And so I think we've given everybody a brief history. And if they're confused after this, they can vote 'present'. Thank you."

Davis, S.: "Thank you very much, Representative."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Davis, to close. The Chair recognizes the Gentleman from DuPage, Representative Daniels."

Daniels: "I have a potential conflict of interest, so I'll be voting 'present'."

Speaker Hartke: "The record will reflect. Representative Davis, to close."

Davis, S.: "I would just move for the adoption of the Amendment."

Speaker Hartke: "The Motion is, 'Shall the House adopt Floor Amendment #4 to Senate Bill 286?' All those in favor will signify by voting... saying 'yes'; those opposed 'no'. In

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the opinion of the Chair, the 'ayes' have it and Floor Amendment #4 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 286, a Bill for an Act amending the Airport Authorities Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Davis."

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Once again, Senate Bill 286 contains provisions that would delete the requirement that the Illinois Department of Transportation conduct or cause to be conducted an annual program audit of the Metropolitan Airport Authority for each fiscal year and I would ask for an 'aye' vote."

Speaker Hartke: "Any discussion? Seeing none, the question is, 'Shall the House pass Senate Bill 286?' 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 are 67 Members voting 'yes', 44 Members voting 'no' and 2 Members voting 'present'. And the House does pass Senate Bill 286. This Bill having received a Constitutional Majority is hereby declared passed. On Supplemental House Calendar #1 appears Senate Bill 652. Representative Currie. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the measure that would provide new procedures for certain actions by local school councils in the City of Chicago. The Conference Report... the Conference Committee Report makes three technical changes, takes out some language

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that's unnecessary because it already reflects board policy, adds language clarifying that local school councils need not limit their search during periods of arbitration on the question of the former principal and remove some specificity in respect to the decision by the superintendent to put a local school council on probation. I'd appreciate your support for the concurrence vote, and I'd be happy to answer any questions you might have."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "She indicates she will."

Black: "Representative, it's my understanding that everything in the Bill remains the same as we passed it, except with some language that our colleagues in the Senate, actually that may not even be fair. There were some people who said there was something in the Bill that they personally found objectionable. So that any language directing the Chicago School Board on how to hire, who to hire, who not to hire has been removed from the Bill, correct?"

Currie: "Because that is already board policy, and it was thought duplicative to add it to the statute."

Black: "Fine. Thank you. Thank you very much. I hope everybody was listening to that, so we can do what we need to do with this Bill without any extraneous fear of what might be hidden somewhere in the Bill. If it was ever hidden in there, Ladies and Gentlemen, it's not hidden in there now. It's a good Bill. The Sponsors worked very hard to work it out with all interested parties. Chicago school reform is working. Let's continue to let it work. I urge an 'aye' vote."

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

Harris: "Mr. Speaker, will the Representative yield?"

Speaker Hartke: "She indicates she will."

Harris: "Yes, I see we had here a lot of opposition. Are they still in opposition to the Bill?"

Currie: "Pardon me?"

Harris: "The people that were opposed to the Bill at first."

Currie: "There are some who are... There were many who were opposed to the Bill, initially. There are fewer who are opposed to it today."

Harris: "Okay, thank you."

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

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

Speaker Hartke: "She indicates she will."

Giles: "Representative, I'm sorry I missed maybe your opening statements. Could you tell me whether the changes since this Bill have come back from the Senate, are there any significant changes in this Bill?"

Currie: "In fact, this is a Conference Committee Report. Everything that was in the Bill, as we passed it, remains the same. There are three differences. One, some language with respect to board hiring is removed from the Bill, as we passed it. That language is already board policy and there was no need to indicate it in the state statute. Second, we have established, you may remember the conversation in passage of the Bill, we write into the language of the Bill, that local school councils can continue the search for a new principal, even if arbitration proceedings have been initiated. And third, we removed some language that had to do with the specificity

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of board oversight of local school councils on probation."

Giles: "Okay. Representative, so, the Amendment #2, I believe that I sponsored, that I put on, is that language still in this Conference Committee Report?"

Currie: "Representative Giles, your language that prohibits certain sex and drug-running felons from service on a local school council is absolutely in this Bill."

Giles: "Thank you, Representative. You've answered all of my questions. I stand in support of this Conference Committee Report."

Speaker Hartke: "Further discussion, the Chair recognizes the Lady from Cook, Representative Silva."

Silva: "Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Silva: "I just wanted to clarify that Amendment 1 was indeed incorporated into this Conference Committee Report. The local school councils can indeed, proceed to contract a principal, in the event that a principal is removed?"

Currie: "Yes, in fact, this was a question, I believe, you asked on the floor during debate. If there is an arbitration proceeding, may the local school council continue it's usual search for a new principal, the answer is 'yes'. That language is now, under this Conference Committee Report, that language would now be in the statute."

Silva: "Well, I want to commend you on your efforts to make this Bill even better and I wholeheartedly support 652."

Currie: "Thank you."

Speaker Hartke: "Further discussion? No one is seeking recognition, Representative Currie to close."

Currie: "Thank you, Speaker. I appreciate your support for the First Conference Committee Report on Senate Bill 652, for school kids in Chicago."

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Speaker Hartke: "The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 652?' This is final action. 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 109 Members voting 'yes', 3 Members voting 'no', and 2 Members voting 'present'. And the House does adopt Conference Committee Report #1 to Senate Bill 652. And this Bill having received a Constitutional Majority is hereby declared passed. Chair recognizes Representative Hannig for a Motion."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. We debated this appropriation Bill just a few moments ago and Representative Ryder in the spirit of cooperation changed his Motion. But, unfortunately, we actually then adopted the wrong Motion. So, I would move that having pre... having voted on the prevailing side that we reconsider the vote by which we adopted Amendments 1 and 4."

Speaker Hartke: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I was happy to cooperate, previously. I'll be happy to cooperate again, even though I was right the first time."

Speaker Hartke: "Motion is, 'Shall the House reconsider the vote by which House Bill 1532 passed?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion to reconsider is passed. Adopted. Committee Reports."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures was referred, action taken on May

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25, 1999, reported the same back with the following recommendation/s: House Bills' Motion to concur Senate Amendments 1 and 4 to House Bill 1532. Supplemental Calendar #2 is being distributed."

Speaker Hartke: "Chair recognizes Representative Hannig for another Motion."

Hannig: "Repres... Mr. Speaker, on the last Motion where you actually adopted on a voice vote. I would ask that there be a Roll Call Vote. On the Motion to reconsider."

Speaker Hartke: "The question is, 'Shall the House reconsider House Bill 1532?' All those in favor signify by voting 'yes'; those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does reconsider the question on Senate Amendment #4 on House Bill 1532. Representative Ryder for a Motion."

Ryder: "Mr. Speaker, I appreciate the opportunity but I think if you'll check the records that's really Mr. Hannig's Motion. I would, however, be happy to speak to it. Just tell me what you need."

Speaker Hartke: "Representative Ryder."

Ryder: "Thank you. I'm happy to speak in favor of the Motion to concur on Senate Amendments 1 and 4 to House Bill 1532. Which does, which does contain language for appropriations for ordinary and contingent expenses of the state agencies that I referred to previously. It does not contain any language for appropriations concerning the Department of Corrections. I would be happy to answer any questions on this or any other procedure that you may request of me, Mr. Speaker."

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Speaker Hartke: "Representative Black."

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

Speaker Hartke: "State your inquiry."

Black: "Yes, this will be the fourth time I have voted on this Bill. Does that mean the, the appropriations contained therein extend for the next four years?"

Speaker Hartke: "No, it means that you just quadrupled all of them."

Black: "You know I never even saw your lips move, Mr. Speaker. How'd you do that?"

Speaker Hartke: "I'm very good."

Black: "That was very good."

Speaker Hartke: "Do you have any further questions?"

Black: "No, not after you could do it.. I mean listen if Ed Sullivan was alive you'd be on the show this coming Sunday, I'll tell ya. Before we vote, would you... would you inform the Body. Is this going to be the last time we vote on 1532?"

Speaker Hartke: "I, I hope so. I really do."

Black: "All right. Now, would the Sponsor yield?"

Ryder: "Sure."

Speaker Hartke: "Sure."

Black: "Let me see. Let me see if I can find my hard copy.. okay here we go. Representative Ryder, I'll read off the agencies and you tell me if they're in here. Okay?"

Ryder: "Okay."

Black: "DCFS?"

Ryder: "Yes."

Black: "Commerce Commission?"

Ryder: "Yes."

Black: "Comprehensive Health Insurance Plan?"

Ryder: "Yes."

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Black: "Criminal Justice Information Authority?"

Ryder: "Yes."

Black: "Deaf and Hard of Hearing Commission?"

Ryder: "Excuse, me?"

Black: "Where's Jack Kubik when I need him? The Deaf and Hard of
Hearing Commission?"

Ryder: "Yes."

Black: "All right. The Educational Labor Relations Board?"

Ryder: "Yes."

Black: "IEMA?"

Ryder: "No."

Black: "Yes, they are. Emergency Management?"

Ryder: "Yes."

Black: "Okay. Guardianship and Advocacy?"

Ryder: "Yes."

Black: "The Health Care Cost Containment Council?"

Ryder: "Yes."

Black: "The Human Rights Commission?"

Ryder: "Yes."

Black: "The Industrial Commission?"

Ryder: "Yes."

Black: "The Judicial Inquiry Board?"

Ryder: "Yes."

Black: "The Department of Labor?"

Ryder: "Yes."

Black: "Prairie State 2000?"

Ryder: "Yes."

Black: "Which by the way, next year do we change its name?"

Ryder: "No."

Black: "Oh. State Police Merit Board?"

Ryder: "Yes."

Black: "There is nothing in here about the Department of

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Corrections."

Ryder: "That's exactly what I said when I introduced the Bill."

Black: "Okay."

Ryder: "The fourth time."

Black: "That isn't what you said 30 minutes ago. Now, this is the final Motion, right?"

Ryder: "I sincerely hope so."

Black: "Okay. Did you make the Motion or did Representative Hannig make the Motion?"

Ryder: "Yes."

Black: "You know Mr. Speaker, there's 10,000 comedians out of work and I have to come here today. I'm ready if you are, Mr. Speaker."

Speaker Hartke: "I'm happy to be back at work today. Thank you, Mr. Dunn. Further questions? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 4 to House Bill 1532?' This is final action. 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? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 1532. And this Bill having received a Constitutional Majority is hereby declared passed. Finally. Supplemental Calendar #1 appears Senate Bill 834. Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker."

Speaker Hartke: "Would you explain the Conference Committee Report?"

Hultgren: "Yes, Conference Committee is very simple. But, what it does is, it amends the Illinois Research Park Authority Act to add that research parks may also be adjacent to

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Federal Laboratories or one or more Federal Research Agencies, along with institutions of higher education."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 834?' This is final action. 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? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does adopt Conference Committee Report #1 to Senate Bill 834. And this Bill having received a Constitutional Majority is hereby declared passed. For what reason does the Lady from Cook, Representative Hamos seek recognition?"

Hamos: "Mr. Speaker, I neglected to vote on the previous roll call, Senate Bill 834. Please, record me as 'aye'."

Speaker Hartke: "The Journal will so reflect. Mr. Clerk, what is the status of Senate Bill 956?"

Clerk Rossi: "Senate Bill 956 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Push that Bill on the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. May I have the attention of the Body, please? The Clerk is going to read some committee notices. Shhh, Shhh."

Clerk Rossi: "The following committees will meet immediately: the Agriculture Committee in Room 114, the Insurance Committee in Room 118, and the State Government Committee in Room 122-B."

Speaker Hartke: "The Chair would... is ready to have the House

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stand at ease until the hour of 4:45. We will return to the floor. We will return to the floor. Could I have your attention, please? We will return to the floor at 4:45, but it is also our intention to adjourn at a reasonable hour. We're talking 7 o'clock, Mr. Cross."

Cross: "I just... Mr. Speaker."

Speaker Hartke: "If we had your cooperation, we could adjourn earlier than that. Mr. Cross."

Cross: "There's a reliable source saying we should be out of here no later than Saturday at noon. Is that, will the Chair confirm that, please? So we can handle our hotel rooms."

Speaker Hartke: "You will not be here next week at this time."

Cross: "All right. So we will... So, we should plan on Saturday at noon, Mr. Speaker?"

Speaker Hartke: "Possibly earlier, if we have cooperation."

Cross: "All right, all right, thanks."

Speaker Hartke: "Mr. Harris."

Harris: "Mr. Speaker, what is a reasonable hour? What are we going to do about dinner? We want to know."

Speaker Hartke: "This evening by 7:00 p.m."

Harris: "Okay."

Speaker Hartke: "If we have cooperation possibly earlier than that."

Harris: "Thank you."

Speaker Hartke: "The Chair stands in recess until the hour of 4:45. Representative Black."

Black: "Mr. Speaker, having voted three times in the affirmative on Senate Bill 1532, I have filed a Motion to reconsider. Can we get to that when we come back?"

Speaker Hartke: "You were not recognized for that Motion."

Black: "Thank you."

Speaker Hartke: "The House stands in recess. Attention Members

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in the Stratton and the building, the House will reconvene in 5 minutes. House shall come to order. Committee Reports."

Clerk Rossi: "Representative Frank Mautino, Chairperson from the Committee on Insurance, to which the following measures were referred action taken on May 25, 1999, reported the same back with the following recommendation/s: 'be adopted' Conference Committee Report #1 to Senate Bill 338. State Representative Howard Kenner, Chairperson from the Committee on State Government Administration, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendation/s: Motion to concur, be approved for consideration Senate Amendment #1 to House Bill 1510. Representative Mike Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measures were referred, action taken on May 25, 1999, reported the same back with the following recommendation/s: Motion to concur, be approved for consideration Senate Amendment #1 to House Bill 1968. Supplemental Calendar #3 is being distributed."

Speaker Hartke: "Supplemental House Calendar #1 appears Senate Bill 1088. Representative Righter. Righter."

Righter: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Conference Committee Report #1 on Senate Bill 1088 reflects an agreement between the Illinois EPA, environmental groups including the Illinois Environmental Council and State Chamber and IMA. As I've spoken to this Body before, the State of Illinois is under a directive from the United States Environmental Protection Agency along with 21 other states to file a plan with regards to emissions credit trading... trading to reduce nitrogen

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oxide emissions. And this legislation now is the enabling legislation to allow the Illinois Environmental Protection Agency to promulgate rules to implement that plan. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Skinner."

Skinner: "Gentleman would yield?"

Speaker Hartke: "Sponsor will yield."

Skinner: "What impact does this have on motorists in the non... so-called non attainment areas?"

Righter: "Representative, I can't hear you."

Skinner: "What impact does this have on motorists in the so called non attainment areas?"

Righter: "On motorists?"

Skinner: "Motorists."

Righter: "None. This has to do with

Skinner: "Plant source only."

Righter: "... manufacturing plants, electric generating units. They're the ones who will be selling and buying the credit, emissions credits."

Skinner: "Okay, thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1088?' This is final action. 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 are 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does adopt Conference Committee Report #1 on Senate Bill 1088. And this Bill having received a Constitutional Majority is

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hereby declared passed. The Chair recognizes the Treasurer of the State of Illinois on the House Floor. Welcome, Lady Topinka. Supplemental Calendar #1 appears Senate Bill 1014. Representative Scott."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to adopt Conference Committee Report #1 to Senate Bill 1014. This is an initiative of the young lady sitting next to me, State Treasurer Judy Barr Topinka. What it would do is, it would create a college savings fund to supplement and enhance the investment opportunities towards paying for a college education. This would act as an enhancement to the College Illinois Program that we all liked so much and we all think is doing a great job for us. It will allow Illinois residents to do two things. One is to take advantage of some federal tax benefits that would be available through this program as is done in 35 other states, most of which have a program very similar to this one. The second thing that it would allow us to do is to keep these dollars in Illinois and not have people access banks outside of the state. All of the opposition that was to the Bill originally, has been removed and there is no known opposition to this Bill. And I would ask for its support."

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

Stephens: "Will, will the Gentleman yield?"

Scott: "Yes."

Stephens: "Representative, are you aware of the position of one Lisa Gregory, on this Bill? Don't you... Don't say who."

Scott: "I'm told she approves."

Stephens: "Wholeheartedly?"

Scott: "Yes."

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Stephens: "Well, that's important to a lot of us and I wanted the Treasurer to remember that."

Scott: "Well, I'm glad she approves then."

Stephens: "Well, she does and she works very hard in, to carry the reputation of the Treasurer's Office here to the floor on a daily basis, and we wouldn't be voting for it if Lisa wasn't for it. Otherwise, we're for it."

Speaker Hartke: "Further discussion, the Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Speaker, thank you. The Sponsor yield?"

Scott: "Yes."

Speaker Hartke: "He indicates he will."

Rutherford: "Representative Scott, I know there's some of our banking community folks have been very interested in the Bill. And I know that through cooperation with the Treasurer's Office and the various associations that we have concurrence on this. There is no opposition to this as I understand it. Could you kind of dialogue with us what the change was to make it acceptable to the banking community?"

Scott: "I believe... I, I my understanding is correct. It involved the fees that were available for the bankers to be able to charge for people to participate in the program. The original language didn't have that in there. This language does, at a rate of \$30 up through 2001, after that it will be indexed."

Rutherford: "Terrific. I commend, commend you and the Treasurer in bringing the program forward like this. I stand in complete support of it."

Scott: "And also, Representative Rutherford, I appreciate that. Deposits are to be made in the local financial institutions, as well. So, that's a good thing for all of

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us."

Rutherford: "And as far as I understand it was originally gonna be the Treasurers' office and know through this negotiated settlement there's gonna be some type of...."

Scott: "Exactly."

Rutherford: "..... of I don't know what they call it, not refinancing but secondary program to it. Thank you."

Scott: "Exactly, thanks."

Speaker Hartke: "Further discussion? Representative Scott to close."

Scott: "Thank you very much. Again, this is a... we appreciate the work of the Treasurer in stepping up to give Illinois residents one more option to be able to fund secondary education that we know is so important. And I would just ask for your support on this Bill."

Speaker Hartke: "The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1014?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is now 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 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does adopt Conference Committee Report #1 to Senate Bill 1014. And this Bill having received the Constitutional Majority is hereby declared passed. On page 10 of the Calendar on nonconcurrence appears Senate Bill 321. Representative Hoeft."

Hoeft: "Thank you, Mr. Chairman. I would like to move to refuse to recede and ask that a Conference Committee be set up."

Speaker Hartke: "Gentleman is refusing to recede from House Amendment #1 to Senate Bill 321. Is there any discussion? Seeing no one is seeking recognition; all those in favor

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signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1 to Senate Bill 321. And a Conference Committee Report or a Conference Committee is requested. On Supplemental Calendar #1 appears Senate Bill 965. Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 965 brings Illinois into compliance with the audit findings at intermediate care facilities with 16 or fewer beds. It sets up standards for administrating (sic-administering) medications under the supervision of registered nurses. And it provides a training program approved by Department of Human Services for noncertified personnel to administer this medication. And I previously read a statement in from the Illinois Nurses Association regarding this Bill and their position on this Bill. But, I'd appreciate your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Yes, Representative, in the First Conference Committee Report, whenever someone gets on the floor and says, you know, working out something about medication, age. Right away some people think this has something to do with school nurses and the dispensing of medication to students. That isn't in this Bill any way shape or form, correct?"

Reitz: "No, that's correct. It's medication in developmentally disabled facilities."

Black: "All right. So this, this had absolutely nothing to do with K-12 education, right?"

Reitz: "Correct."

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Black: "It has everything to with those licensed institution of intermediate care facilities, and DD homes or DD15s as we know them."

Reitz: "That's correct."

Black: "All right. Language is all been worked out, too, by those who build and administer those homes and the Department of Human Services, correct?"

Reitz: "Correct. All the interested parties have signed off on this."

Black: "Including the... medical and nursing groups?"

Reitz: "Yes, that's exactly right. Nurse Association, all the facilities."

Black: "In other words, I could stand here without fear of contradiction and say this is an Agreed Conference Committee Report?"

Reitz: "Yes, it is."

Black: "You agree to that?"

Reitz: "Yes, I do."

Black: "I agree to that. Let's vote 'aye'."

Reitz: "I agree."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 965?' This is final action. 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does adopt Conference Committee Report to Senate Bill 965. And this Bill having received the Constitutional Majority is hereby declared passed. Chair recognizes the Gentleman from Lake,

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Representative Osmond."

Osmond: "Would you please show me as an 'aye' vote on that last vote?"

Speaker Hartke: "The Journal will reflect your wishes."

Osmond: "Thank you."

Speaker Hartke: "On Supplemental Calendar #3 appears House Bill 1510. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This proposal as it left the House dealt with the question of nurses that work at state penitentiaries for the Department of Corrections and whether or not they should be state employees or whether they should be working for some private firm that was contracted with the State of Illinois. And obviously, I think we can think of cases where either of those considerations could make sense. So, we worked out an agreement with the Department of Corrections, the Illinois Nurses Association, and AFSCME that we sent over to the Senate for their consideration. At the request of the Governor's Office, some of that language has already... will be... will be actually done by administrative rule. And so, the Senate actually reduced the number of language that will be enacted into law. But what we have really before us right now, is that same agreement that was passed earlier in this House, but actually only a smaller portion will become part of the statutes. And the rest will become part of an administrative agreement between the Department of Corrections, the Nurses Association, and AFSCME. And so, in total, the Bill will really be the same with just a little bit different way to approach it. I'd move for the... I'd move that the House concur in the Senate Amendment."

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Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, our staff notes indicate that Senate Amendment #1 was, in fact, designed to bring, take this Bill to Conference Committee; that Senate Amendment #1 deletes most of the substance of the Bill and simply states, 'that nursing care services at correctional centers shall contain a requirement that the vendor may not pay wages and benefits at a rate lower than that provided to entry level state nurses.' End of actual language."

Hannig: "And... and Representative Black, that was in the original Bill. All... what was also in the original Bill, I think, has been agreed to, as well, but will be done by administrative rule. And so we had a hearing on this in the committee and the Illinois Nurses Association was there and they testified in favor of the concurrence. And... I... I think maybe the staff perhaps, misunderstood the Senate intentions." Black: "Well, I can tell you that you've met our staffer, or former Congressman Jerry Weller, he doesn't make mistakes. I... I..."

Hannig: "Well, perhaps he hasn't finished writing up the report and after we pass the Bill he could put a couple more sentences in."

Black: ".... I... I just and I'll tell ya why, Gary, I have some concerns about the Amendment. I think it guts the underlying Bill to a... to a major extent. I have a correctional center in my district and I'm concerned about the vendor. And I'm concerned about the turnover and I'm concerned about a number of other issues. And I'm not sure

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that I, if I vote for this, what message am I sending to the vendor, other than, an entry level nurse is going to paid the same? And there were provisions in your underlying Bill that went far beyond that."

Hannig: "That's correct, Representative."

Black: "Strengthened contractual language and would eliminate some of what goes on when you get a new vendor, they often come in and just clean house. So, people can't accrue seniority, they weren't accruing pension benefits. And quite frankly, it seemed like every time I get a vendor at this correctional center, I'm dealing with all new people, some of whom have no experience in a correctional center and when they get that experience, they often don't stay. I thought your underlying Bill was a lot stronger than the Senate Amendment. And what I'd like for you to do, is to give me some assurance that the underlying issues that I thought your Bill addressed quite well are either going to be taken care of in a trailer, or will be taken care of as you said by administrative rule."

Hannig: "Yes, in the Senate we, I agree with you that we sent over a sta ... a proposed statute that would have been much stronger than what we have here today. But, in the, in the process of the give and take that often goes on in an Agreed Bill, in the Agreed Bill process, the Department of Corrections and the Governor's Office agreed to do most of these things by administrative rule, are all these things that were struck by administrative rule."

Black: "All right, okay."

Hannig: "So, that all I can tell you, Representative, is that the Illinois Nurses Association would not have agreed to this proposal if they thought that there were not the safeguards there. They were the ones initially that brought me the

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Bill, the Illinois Nurses Association. They are satisfied that their agreement with the Governor's Office and the Department of Corrections in conjunction with this language, will satisfy their problem."

Black: "Okay, well, can you just tell me then, is it the intent of the Department of Corrections to... in either in the bid language or the contract language for a vendor that they intend to take care of some of these problems we've experienced by contractual adding this language to the contract that a vendor will sign? I... I, I have no reason to doubt what you're telling me. But, with a correctional center in my district, it is a personal interest to me that some of the things your underlying Bill addressed will, in fact, be addressed either by contractual language in the bid document or the contract they will ask the vendor to agree to."

Hannig: "Representative, it's my understanding again, that these things have been worked out internally with the administration."

Black: "Okay."

Hannig: "Let me say, if we find that that's not the case, that there is a problem, we'll come right back here next year and I hope you'll work with me to pass a Bill to put this in law."

Black: "I.. that's what I wanted to here from you. I appreciate that, I... you're a man of your word and I know that you'll do that. If we can't solve some of these problems we're encountering, I certainly look forward to working with you to make sure we do and in that case I'll defer to your word. Your integrity's never been in question with me. I appreciate your indulgence. Thank you."

Speaker Hartke: "The Chair recognizes the Gentleman from

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Jefferson, Representative Jones."

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

Speaker Hartke: "He indicates he will."

Jones, J.: "Representative Hannig, I too, am like the last speaker. I have a prison in my district and have these great concerns and the nurses situation has been a... really a... sticky situation for the last several years and we've had a lot of bad situations come out of it. What you're telling us then is that if this doesn't do the job then we're going to come back next year and redo it."

Hannig: "Yes, Representative, I.. I.. I have faith that the Governor's Office, the new Governor, Governor Ryan, will do this as he's indicated through his people that he would. But, if in some, by some way if we come back here next year and we have people in your district or in my district saying that the agreement really hasn't solved the problem. I'll work you and Representative Black and everybody else to change the law, so that we can address the problem once and for all."

Jones, J: "Also, is the Nurses Association as you said and AFSCME still proponents of the Bill?"

Hannig: "Yes, they came to committee. We had a hearing on this proposal when we broke just a few minutes back and they were there. They explained the Amendment. They explained the agreement and they're on board 100%."

Jones, J: "Thank you very much."

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

Hannig: "I'd just ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1510?' This is final action. All those in favor will signify by voting 'yes';

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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 are 112 Members voting 'yes' , 2 people voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1510. And this Bill having received the Constitutional Majority is hereby declared passed. The Chair recognizes the Majority Leader, Representative Currie for a Motion."

Currie: "Thank you, Speaker. I move to reconsider the vote by which Senate... by which Senate Bill 144 passed this Chamber. As you know, that was a measure that actually required 71 votes and it is important that we follow those procedures. So, I hope you will support my Motion to reconsider."

Speaker: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "She indicates she will."

Parke: "Representative, you cleared that with our side of the aisle?"

Currie: "Yes."

Parke: "And our people are in agreement with this Motion?"

Currie: "Yes. And Representative Mathias, the Sponsor of the Bill, is looking forward to another Roll Call Vote on his proposal."

Parke: "And the reason we're doing this, is?"

Currie: "Well, we did it the first time because some of your targets inadvertently were voted 'yes'. We're doing it this time because the underlying Bill requires a super majority vote and that was not the vote that we declared

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passed the Bill in that initial instance."

Parke: "Okay, well, thank you Representative. I appreciate that and if our side has agreed to it then I have no other objection."

Speaker Hartke: "Shall... The question is,... Is there any further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House reconsider the vote by which Senate Bill 144 passed?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is, is passed... adopted. Mr. Clerk, what is the status of Senate Bill 144?"

Clerk Rossi: "Senate Bill 144 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Representative Currie."

Currie: "I think this is Mathias' Bill. Representative Mathias."

Speaker Hartke: "Representative Mathias. Representative Mathias."

Mathias: "Thank you. As the chamber knows, we have voted on this Bill twice before. As I stated previously, this Bill reinstates the Sales Tax Reform Act of 1989, which is a subject of court litigation and is necessary in order for all home rule communities to validate their previous sales taxes that they have enacted. If this Bill should fail and the court does not uphold the prior ruling, which is based on the single subject matter, then any home rule community that previously passed the sales tax could be made, possibly, to refund any monies. So, I urge everyone in the chamber to vote to support Senate Bill 144 because it is very important to all home rule communities. Thank you."

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

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Black: "Mr. Speaker, an inquiry to the Chair, first if I might."

Speaker Hartke: "State your inquiry."

Black: "A question of the rules as to how this Bill got to this point is probably not timely. I was on the other side when they moved this. This is an interesting procedure. I assume my inquiry on what House Rules you used to get this on Third Reading would not be timely at this point?"

Parliamentarian Uhe: "Representative Black, could you restate your inquiry for me?"

Black: "Yeah, I... with apologies I may be too late and I'll accept that if you say my inquiry is not timely I'll accept that. I was on the other side of the aisle talking with Representative Hannig about a Bill of mutual interest when this Motion to reconsider was posted. And that's when I should have, perhaps, raised my inquiry because I think this has been, I think this is the third time the Bill has been reconsidered. Is it not?"

Parliamentarian Uhe: "This is the second time the Bill's been reconsidered."

Black: "Okay, all right. Is it... is it the opinion of the Parliamentarian that we are acting within the scope of House Rules to do what we have just done?"

Parliamentarian Uhe: "Representative Black, the inquiry if it is whether the second Motion to reconsider is proper, is out of Order because it is untimely."

Black: "I'll accept that, because you're right, it wasn't. Well... let me just go on. Mr. Speaker, a further inquiry. Just for clarification now, I believe the parliamentarian has ruled that this Bill preempts that section of home rule, so it would require 71 votes to pass. Is that correct?"

Speaker Hartke: "He has not so ruled, yet."

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Black: "Oh, I'm sorry."

Speaker Hartke: "But, he will on the record if you ask the proper question."

Black: "Yes, that's my inquiry now, is I want to... before we get into debate, I'd like to know whether this requires a simple majority or an extraordinary majority?"

Parliamentarian Uhe: "Representative Black, on behalf of the Speaker and in response to your inquiry, Senate Bill 144 reenacts provisions of several Use and Occupation Tax Acts. In reenacting these provisions, specifically provides that no home rule municipality has the authority to impose a Use or Sales Tax on the use, sale, or purchase of certain tangible personal property. This is a limitation of the home rule power to impose taxes under Section 6(g) of Article 7 of the Illinois Constitution, and pursuant to House Rule 70 expressively provides that it preempts home rule powers in this manner. Thus requiring a three-fifths majority vote to pass."

Black: "Okay, fine."

Parliamentarian Uhe: "Excuse me, three-fifths super majority vote."

Black: "Fine, thank you very much. Mr. Speaker, would the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Black: "Yes. Representative, earlier the Bill was listed as a Madigan, Currie Bill. Was that simply a misprint or had you signed over the Bill five minutes ago to Speaker Madigan?"

Mathias: "In response to that, that was only with the Motion to reconsider. That was filed by the Speaker, not the Bill."

Black: "That's fine. That's what I get for visiting on the other side of the aisle during the important stuff."

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Representative, to the Bill."

Speaker Hartke: "To the Bill."

Black: "Is.. are cities currently prohibited from collecting the tax or are they continuing to collect anticipating a final determination by the Supreme Court, or have they stopped collecting the tax in question?"

Mathias: "Although, I can not speak for all of the home rule communities in the State of Illinois, it is my understanding that communities are continuing to collect this tax pending the Appellate Court ruling."

Black: "I realize that this is an assumption, but you're a mayor. If we assume that the court would rule in favor of the objection or... say, that the tax was not lawfully nor legally enacted, could they also order cities to refund some amount of the money?"

Mathias: "Absolutely. They could, potentially, ask them to refund any taxes collected under any home rule communities ordinances."

Black: "And then I assume the impacted cities, obviously, do not have that money in escrow, so the result may be, you would have to levy or borrow or severely damage local finances in order to make said refund, if ordered to do so?"

Mathias: "Absolutely. And generally the home rule sales tax was enacted in... the first place by most home rule communities to alleviate the real estate property tax, so they would not have to increase that levy. I can only presume that if this was found to be unconstitutional as far as any taxes collected in order to repay it they may have to enact real estate taxes. And of course, prospectively, if this Bill fails and it's ruled unconstitutional, in order to balance their budgets in the future, they probably would have to raise real estate taxes. So, in effect, this is is a way

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to substitute for additional real estate taxes, property taxes."

Black: "All right, one further question. When the General Assembly gave home rule communities this authority, did you, did the communities in question have to do so by referendum or did we simply grant you the authority to levy the tax?"

Mathias: "Since... since these were home rule communities they just had the right to individually pass those, but of course, they have to follow their ordinances, as far as public hearings, for each community."

Black: "So, would it be your opinion that since the General Assembly did this, gave you this authority and you acted in good faith, that's why you're here asking the General Assembly to correct the matter that that the court has ruled, violated our own rules?"

Mathias: "Absolutely. This vote for this is not a vote for new additional tax. It's a vote to revalidate a prior decision on a prior law of this chamber."

Black: "All right, thank you very much, Representative. I appreciate you forthright answers."

Speaker Hartke: "Representative Skinner."

Skinner: "Mr. Speaker, I've been waiting for over two weeks for an answer to my question as to whether this would take 71 votes. You may remember that the Friday before last we adjourned with that question left hanging. And then I saw Representative Madigan file a Motion, which made me assume that perhaps I was correct in thinking that the Sid Tax required 71 votes. Is that still correct?"

Speaker Hartke: "The ruling of the parliamentarian says that the Bill requires three-fifths super majority vote."

Skinner: "Well, I'm very pleased that there finally has been a

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resolution to that question. This is the third time we are voting on this biggest tax cut Bill of the Session. The biggest tax cut Bill of the Session. Now, if you've been saving your sales tax receipts, as I've been saving my sales tax receipts, you're in for a big refund. But, you have to vote 'no' on this Bill. You have to vote 'no'. If you want sales tax relief in the City of Chicago, you have to vote 'no'. If you happen to have gone to Wile Oldsmobile or whatever the dealership is out in Libertyville, out in the country. If you want a sales tax refund, you have to vote 'no'. I mean surely everybody can, can remember or can prove that they bought a car someplace. So, they'll probably get a refund for that. This is, a 'yes' vote is a vote for the taxeaters. Now, I know the taxeaters are going to get their 71 votes. They always do. But this is a great chance for those of us who like to fantasize, to think that... of what we might spend that sales tax relief for, if the Sid Tax were not imposed. Thank you, Mr. Sid."

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

Mathias: "I urge the chamber not to let our home rule communities down or to force them to raise their own real estate property taxes. So therefore please, I urge a 'yes' vote on Senate Bill 144, which is a vote to keep real estate property taxes down on home rule communities."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 144?' 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? Have all voted who wish? There are still three people not voting. Have all voted who wish? Mr. Clerk, take the

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record. Mr. Mathias."

Mathias: "Postponed Consideration?"

Speaker Hartke: "Place this Bill on Postponed Consideration. Supplemental Calendar #3 appears House Bill 1968, Representative Smith. Representative Mike Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. This is a... the underlying Bill would originally increase the aggregate amount that bonds in the Farm Developmental Authority could be issued. The Senate Amendment reinstates the existing limit of 300,000,000. It also raises instead the amount that can be lent out, the aggregate amount that can be lent out under the three guarantee programs of the Farm Development Authority. And I would move to concur with Senate Amendment #1."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Would the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Lawfer: "If I understood you right Representative Smith, and I had a little trouble hearing, this is just increasing a amount that we had earlier voted on. Is that correct?"

Smith: "That is partially correct, Representative Lawfer. We originally we're going to raise the aggregate bonding authority of the Farm Development Authority, but instead we're maintaining that bonding authority but raising the amount that they can loan out in the three guaranteed programs from 50,000,000 to 75,000,000 ."

Lawfer: "Do you know of any opposition to this Bill?"

Smith: "No, I do not."

Lawfer: "Mr. Chairman, to the Bill."

Speaker Hartke: "To the Bill."

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Lawfer: "I think that this is a very good Bill. I intend on voting for it. I think it's something that's needed to maintain our agriculture economy in the State of Illinois and benefit a lot of people. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is standing in opposition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1968?' 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 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1968. And this Bill having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 311? Out of the record. Supplemental Calendar #3 appears Senate Bill 338, Representative Andrea Moore. Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. I would move to adopt the First Conference Committee Report for Senate Bill 338. This Conference Committee Report includes the House Amendment #1 and also further adds to the language to provide for an adjustment to the premium taxes that were discussed in Amendment #1. As you know, Illinois insurance companies currently pay taxes to states all across the nation in the form of retaliatory taxes. And these taxes are imposed to retaliate for any amount that the Illinois charges to insurance companies domiciled outside of Illinois. The reason for the change is that the home states of the foreign-based insurance companies are now charging Illinois companies retaliatory taxes. I'd be happy to answer any questions."

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

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

Speaker Hartke: "She indicates she will."

Mautino: "Okay. Very quickly for purpose of legislative intent. In reference to and what I'm looking at is page 3 lines 27 and 28. Representative Moore, is the term 'pooling' intended to cover all inner affiliate reinsurance arrangements?"

Moore, A: "Yes, Representative, that is my understanding."

Mautino: "Okay. Thank you very much. I simply rise in support of the legislation and I know this came out of the committee, unanimously. It's long needed. We were expecting this when the premium tax passed last year. We thought this problem would occur. It has indeed surfaced. This will change the way that we tax the foreign companies and we're going to make this a better climate and easier for our domestic Illinois companies to remain and do business in Illinois. I ask for an 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from McLean, Mr. Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is, I want to complement the Sponsor on this piece of legislation, as well as Chairman Mautino the Insurance Committee. As he indicated this passed unanimously through the Insurance Committee earlier today. It's an important piece of legislation. It's important to the economics of this state. I encourage an 'aye' vote."

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

Moore, A.: "Thank you. Illinois has historically been viewed as the premiere state for insurance business due in large part

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to the favorable business climate. We need to adopt this Bill in order to preserve our premiere status among states for purposes of insurance and keep the Illinois economy strong. And I would ask an 'aye' vote."

Speaker Hartke: 'The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 338?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does adopt Conference Committee Report #1 to Senate Bill 338. And this Bill having received a Constitutional Majority is hereby declared passed. Supplemental Calendar announcement. Withdraw that announcement. Supplemental House Calendar, appears Senate Joint Resolution 30.

Representative Mitchell. Representative Mitchell in the Chamber?
Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. Senate Joint Resolution 30 encourages the Secretary of State, the Illinois Department of Transportation, the Illinois State Police to coordinate efforts with public and private entities to celebrate National Car Care Month and to continue those efforts all year round."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Madison, Mr. Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Hoffman: "Representative, National Car Care Month? Is this like encouraging the use of Turtle Wax or something like that?"

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Mitchell, B.: "This is encouraging people to maintain their automobiles."

Hoffman: "Is that like put that antitrust stuff on so that the car doesn't rust, when it drives in salt and wintry roads? Is that what we're trying to do here?"

Mitchell, B.: "This encourages people to maintain their automobiles."

Hoffman: "Is a... Does it encourage people to change their oil every 3,000 miles or something like that, too?"

Mitchell, B.: "This encourages people to maintain their automobiles."

Hoffman: "Okay. Well, I think that, I think that encouraging people to maintain their automobiles is certainly a laudable goal, as we're talking about a \$40 billion budget. Let's pass National Car Month forthwith."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black. Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support this Resolution. Obviously has bipartisan support. I look at that board, it's a strong bipartisan Bill. I think what it does is to tell you folks who live in nonattainment areas to get those cars inspected, make sure your exhaust isn't polluting our air, so that the nonattainment areas don't spread into the pristine air that Representative Mitchell and I represent. It's not an earth-shattering Resolution. It just says, you know, keep your car tuned up, stop all the nitrous oxide emissions and quit driving on the Dan Ryan and destroying that road. It's a reasonable Resolution with good bipartisan support to try and make a difference in the air that we breathe. This is a strong environmental Bill and I urge an 'aye' vote."

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Speaker Hartke: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Yes, I wonder if the Sponsor would yield to a question or two?"

Speaker Hartke: "I think he will."

Skinner: "Now, am I correct that this Resolution urges those who drive from Danville to the attainment areas, to meet the same standards that the cars in the attainment areas have?"

Hoffman: "It encourages all automobile owners."

Skinner: "Well, I think Bill Black needs a lot of encouragement."

Speaker Hartke: "Further discussion? Representative Dart. Representative Dart declines. Representative Mitchell to close."

Mitchell, B.: "I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Senate Joint Resolution 30?' All those in favor will signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Senate Joint Resolution 30 is adopted. The Chair recognizes the Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you, Mr. Speaker. Since we're on Resolutions, I have an inquiry of the Chair in regards to House Resolution 87. I think that passed the Agriculture Committee in good shape and was wondering why we couldn't hear it on the House Floor?"

Speaker Hartke: "We'll get back to that sometime."

Lawfer: "What, when might I get, so that Representative Jones could be prepared to present that Resolution?"

Speaker Hartke: "Someday."

Lawfer: "Thank you, Mr. Chairman."

Speaker Hartke: "Chair recognizes the Gentleman from Vermilion, Representative Black. For what reason do you seek

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recognition?"

Black: "Yes, inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Black: "We been bouncing around from Supplemental Calendar 1 to 2 to 3, and I'm looking at Supplemental Calendar #1, on the Order of Conference Committee Reports and we've called everyone of those but House Bill 427."

Speaker Hartke: "That's correct."

Black: "I just, perhaps, was that given birth from rules prematurely or a... what happened there?"

Speaker Hartke: "It looks like it has a brick on it."

Black: "I see. I was just curious. Is there anything I could do to help?"

Speaker Hartke: "Sit down."

Black: "Thank you."

Speaker Hartke: "Supplemental Calendar #1, appears Senate Joint Resolution 37. For what reason does the Gentleman from McLean seek recognition? Mr. Brady. He's declining. Representative Kosel."

Kosel: "Thank you very much, Mr. Speaker. Senate Joint Resolution 37 calls for the creation of a cardiovascular disease prevention task force to examine.. to examine the incidences and causes of heart disease and stroke. This task force will identify populations at high risk for cardiovascular disease and make recommendation to the Governor and the General Assembly. Recommendations could include changes in existing laws and regulations, programs, services, and policies to prevent heart disease and stroke, the killer of most people in the State of Illinois. I would ask for a 'yes' vote."

Speaker Hartke: "Is there any discussion? Chair recognizes.... Representative Osmond has some insight on this

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legislation."

Osmond: "I would like to rise in strong support of this Resolution. Thank you."

Speaker Hartke: "Representative Dart. He did not... he declines. Representative Kosel, would you like to close?"

Kosel: "I would ask for a 'yes' vote, please."

Speaker Hartke: "The question is, 'Shall the House adopt Senate Joint Resolution 37?' 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? Mr. Clerk, take the record. On this question, there were 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does adopt Senate Joint Resolution 37. Senate Joint Resolution 35, Representative Harris."

Harris: "Thank you, Mr. Speaker. Senate Joint Resolution 35 urges Congress to appropriate funds necessary to complete a program to insure that maps are updated to reflect flood control changes. I would ask for a favorable vote, please."

Speaker Hartke: "The Chair recognizes the Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Lawfer: "We didn't have too much discussion on this in committee, Representative. Could you give us a little of the background on why this is necessary?"

Harris: "It's necessary, Representative, because we need to update the maps so that if there are any changes to be made that we'll be able to receive them."

Lawfer: "Do you feel that most of the changes need to be made in metropolitan areas or in rural areas?"

Harris: "Well, some in both. But, mostly on metropolitan areas."

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Lawfer: "Okay. Well, that that was I think a little of the confusion of why this was in the Agriculture Committee, and where we talked about that because of the changes in drainage in urban areas, it really more pertains to urban areas more then rural areas. Is that correct?"

Harris: "That's correct."

Lawfer: "Thank you very much, Mr. Chairman and the Sponsor."

Speaker Hartke: "The Chair recognizes the Gentleman from Cook, Representative Giglio."

Giglio: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Giglio: "Thanks. Yes, Representative Harris, what... what was the vote coming out of the committee on this Bill?"

Harris: "If I'm not mistaken, Representative, I think it was 9-0."

Giglio: "And why did this go before the Agricultural Committee? It looks like this should have went through Environmental Committee to me."

Harris: "Well, whether it should have gone there or not, I don't set those rules, Representative. I'm not the one to decide, I'm just a freshman. I'm not the one to decide where they's supposed to go."

Giglio: "All of the sudden you don't have anything to say, is that what you're saying?"

Harris: "That's correct."

Giglio: "Is that going to carry through for the next two days?"

Harris: "I'm quite sure it will."

Giglio: "Who was the '0' in the committee?"

Harris: "Pardon?"

Giglio: "Who was the '0' in the committee?"

Harris: "Well, I was so glad that it was passed, I didn't pay any attention to that."

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Giglio: "All right. Well, I'll tell you what, on this Resolution, Representative Harris, I'm 'witch ya'."

Harris: "Thank you."

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

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

Harris: "Yes, I will."

Speaker Hartke: "He indicates he will."

Bost: "I know, I know that they've joked and everything about this, but I have a real concern. Does this encourage them and we have some places where the flood plains now, originally in the mapping that are in the flood plain that are now out of the flood plain, will this encourage the Federal Government then to come in, redraw those maps even if it is private property? 'Cause a lot of the problems right now is there's industry wanting to open up on those piece of land that are truly out of the flood plain, but they would have to go ahead right now and pay on their own to have it resurveyed and reentered into the federal map. Would this cover that?"

Harris: "Yes, it will."

Bost: "Thank you very much. I support your Amendment."

Speaker Hartke: "Further discussion? Representative Harris to close."

Harris: "I would just ask for your 'yes' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House adopt Senate Joint Resolution 35?' All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Senate Joint Resolution 35 is adopted. Senate Joint Resolution 32, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. I have SJR 32 today, and SJR

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32 is almost identical to the House Resolution we had last week. I believe was HR 95, urging the U.S. Congress to act on Social Security. I believe it's very similar if not the same Resolution that came out of the Senate just in the past few days. Senator Kathleen Parker was the Sponsor in the Senate. And we had it in the Aging Committee today and we passed that out and if there are any questions I'd try to answer them if not, I'd like an 'affirmative' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition. The question is, 'Shall the House adopt Senate Joint Resolution 32?' All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does adopt Senate Joint Resolution 32. Mr. Clerk, what is the status of Senate Bill 941?"

Clerk Rossi: "Senate Bill 941 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Place that Bill on the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. Supplemental Calendar #1 appears House Resolution 329. Representative Novak."

Novak: "Yes, Ladies and Gentlemen. Thank you, Mr. Speaker. House Joint, excuse me, House Resolution 329 creates the solid waste tipping fee surcharge task force. This is a situation that has been developing the last couple years. I think many of us are familiar with a... with the state law that has been on the books for a good number of years that helps our county governments create solid waste management plans. Some of these tipping fees that are imposed are used for recycling programs, so it's been a very good program. There's a state tipping fee, then there's a local tipping fee, as far as refuse that goes

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into landfills. Well, the reality is, is that in some part of our state, specifically in areas like Du Page County and some of the other northern areas, landfills are quickly closing. Some of the landfills will be closed in a couple years. I think with respect to Du Page County, it'll be very, very soon that they won't have any landfills in that county to dispose of their trash. In as well, and the problem's not only confined to that area, it's confined to a lot of areas. So, in the past two years there has been legislation that has been introduced in both Houses to sort of redef... redesign this funding structure program. As you know, the Department of Commerce and Communities Affairs was involved in this and the last Bill that they were ... they were opposed to some counties were for it, some counties were against it. So, we thought that the best thing that we could do is to create this task force that each chamber would appoint an individual plus a member... each caucus from each chamber would appoint an individual plus a member from the public, and the Governor would appoint three members from the public, preferably from the waste industry, preferably from the environmental community. And sit down over the summer try to... try to formulate some good public policy how... how a new tipping fee structure can benefit all of our counties. So, and to make sure ever.... everyone's on a level playing field. That simply, that is simply the charge of this Resolution."

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

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

Speaker Hartke: "He indicates he will."

Scott: "Phil, are there any guidelines as to who the public members would be? I know you said that you'd hope that

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they would come from the waste industry, but I don't have the Resolution in front of me. Is that spelled out at all?"

Novak: "I don't, Representative Scott, I don't believe the resolution stipulates where, from what sector of our society these public members would come. But, I think, I feel comfortable stating for the record here that one member should be from the waste industry, one member should be from the environmental community, one member should be from the municipalities and county governments, as a start. So..."

Scott: "With respect to the... I know you'll probably do this or this will probably be done. But, I would just suggest, too, that in the caucus members that are on there, because there was such a division here in terms...."

Novak: "... Correct."

Scott: "... of some counties versus other counties, that that be reflected in the makeup of the task force."

Novak: "That's fine with me."

Scott: "And are the agencies going to be represented, too? Both with... ?"

Novak: "I think the EPA and DNR and Pollution Control Board should certainly be consulted on this, yes."

Scott: "Okay, thanks."

Novak: "You're welcome."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Yeah, I'm looking at the Resolution and Representative Novak was very accurate. It gives no indication other than

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who appoints these members. And I simply rise with Representative Scott to indicate that this can be a very, very divisive issue, has been in this chamber. And I would... there's no way to do it on the face of the Resolution, Phil I understand that. But, I... I think if... if this, my only fear in voting for this and I'm sure it will be done on a voice vote since, there's no compensation. Will there be a roll call, Mr. Speaker? All right. My only fear in voting 'yes' is that I don't want this committee, I want to chose my words carefully. I don't want the committee to be predisposed to say, 'Well those counties that no longer have landfills are gonna have to access the tipping fee for this and that.' Because there are downstate counties that are very concerned about that. That we're running programs and this is how it's financed and all of the sudden if you have to get into a revenue sharing program for lack of a better word, that that's gonna create some real problems. So, I.. my only concern about this is that there's no direction in the Resolution on the makeup of the committee. And if in fact, the committee becomes predisposed or is chosen to be predisposed to say, 'Well the haves and the have have-nots are gonna have to get together and are gonna have to share the money.' That's really gonna be a problem. I know that's not your intent, but I think Representative Scott raised a very good point that those counties with landfills should be represented, and those without, as well as the waste industry, and certainly somebody from IEPA or what have you. Because I know my.. some folks in my county have expressed some very serious reservations when it was legislation just a year ago, sponsored by my good friend Jack Kubik."

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Novak: "As well as mine, too, one of my counties."

Black: "So, I... you know sometimes these Resolution votes come back and bite ya. But, I just... "

Novak: "Well, it's not gonna be an easy task, Representative. You know like you said it could be very divisive."

Black: "... I think it will be."

Novak: "And ya know there's... "

Black: "Well, I guess I'd rather vote for the Resolution and leave it to your good faith efforts to make sure that the committee is representative. I guess I'd rather do it this way than argue legislation on the floor at this point in the process. So, I appreciate what you're trying to do and I do hope that you will exercise your experience in this area and make sure that the committee is representative and that we get some clear direction. Obviously, we need it. And I appreciate your effort."

Novak: "I agree with you, Representative Black. And I will consult with the spokesman, the Republican spokesman on the Environment Committee, Representative Hassert. I think a good idea might for us to do... might be for us to do is prepare a joint memo to send to our Leadership in both the Senate and the House, since this is not a Joint Resolution, urging them to make sure this committee is comprised of all aspects of this question."

Black: "Yeah, I would... and I hope that the Leadership... they're a very competent group of people, the four Leaders, since it isn't a joint, it'll just be the two Leaders here in the House. But obviously, if the makeup of the committee is all north of I-80..."

Novak: "No, Mr. Black, I'm sorry. Can I interrupt you, Sir?"

Black: "Go right ahead."

Novak: "In the Resolution, it does say the Senate, too."

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Black: "Okay, so, the Senate will..."

Novak: "Yes."

Black: "...you know, I have some confidence that the four Leaders will be careful. But sometimes when they don't communicate among the four, then the Membership comes out that... you know, there's... all the counties are north of I-80 and that will really create a problem with the integrity of the report in some areas of the state. So, I'm sure that won't happen, but I just wanted it on the record."

Novak: "Thank you, Mr. Black."

Black: "Thank you."

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

Lyons, E.: "Thank you, Mr. Speaker. I rise in strong support of this Resolution. The west... the Cook County Solid Waste Agency, is one of those agencies that's going to lose access to those tipping fee revenues and therefore, have to cut back on their program a great deal. And I know there are those areas of the state that have landfills and the attendant ramifications of having a landfill as well. And I'm hoping that this task force will be able to resolve those problems. So I urge an 'aye' vote."

Speaker Hartke: "Representative Novak to close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Certainly ask my colleagues to support me in our efforts here on approving House Resolution 329. Thank you."

Speaker Hartke: "The question is, 'Shall the House adopt House Resolution 329?' 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 this question, there are 114 Members

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voting 'yes', 0 voting 'no', 0 voting 'present', and the House does adopt House Resolution 329."

Clerk Rossi: "Introduction of Resolutions. Senate Joint Resolution #40, offered by Representative Monique Davis, is assigned to the Rules Committee. Introduction and First Reading of House Bills. House Bill 2873, offered by Representative Maggie Crotty, a Bill for an Act concerning highway construction. First Reading of this House Bill."

Speaker Hartke: "Page 80 of the Calendar, appears House Bill 1134. Representative Crotty."

Crotty: "Thank you. On House Bill 1134, I'm moving to nonconcur with the Senate Amendment #1. My intent is to have this Bill go to Conference Committee."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, you've heard the Lady's Motion to nonconcur in Senate Amendment #1 to House Bill 1134. All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Motion to Nonconcur passes."

Clerk Rossi: "Introduction of Resolutions. House Resolution 339, offered by Representative Feigenholtz. House Joint Resolution 28, offered by Representative O'Connor, is assigned to the Rules Committee."

Speaker Hartke: "Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 337, offered by Representative Erwin; House Resolution 338, offered by Representative O'Brien; House Resolution 340, offered by Representative Fritchey; House Resolution 342, offered by Representative McCarthy; House Resolution 343, offered by Representative Giglio; House Resolution 344, offered by Representative Harris; House Resolution 345, offered by Representative Dart; House Resolution 346, offered by

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Representative Dart; House Resolution 347, offered by Representative Dart; House Resolution 348, offered by Representative Younge; House Resolution 349, offered by Representative Andrea Moore; House Resolution 350, offered by Representative Andrea Moore; House Resolution 351, offered by Representative Giles; and House Resolution 352, offered by Representative Giglio."

Speaker Hartke: "Representative Currie now moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Representative Hamos, now moves that the House stand adjourned, until the hour of 1:00 p.m., Wednesday, May 26th, 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 stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. Introduction of Resolutions. Senate Joint Resolution #17, offered by Representative Jerry Mitchell. This Resolution was referred to the Rules Committee. Having no further business, the House Perfunctory Session will stand adjourned. The House will reconvene in Regular Session, on Wednesday, May 26th, at one 1:00 p.m."