

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

216th Legislative Day

11/17/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones and pagers and we ask our guests in the gallery to please rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Reverend William Owen of the Northern Illinois Conference of the United Methodist Church in Round Lake Beach, Illinois. Reverend Owen is the guest of Representative Churchill."

Reverend Owen: "Thank you, Mr. Speaker. Let us pray. Gracious and loving God, we give You humble thanks for this day, for it is the day You have made and we rejoice and are glad in it. We give thanks for the freedoms we enjoy, knowing that people around the world are not as fortunate. After national, state and local elections, Lord, we ask for healing, for all those concerned, that we can move forward in enthusiasm and joyful anticipation. We ask You, be with our national and world leaders in their work, giving them strength. We especially give thanks for this Body in their work for the people of Illinois. We ask in our prayer, Lord, that You touch each Member of this Legislature with Your holy and healing spirit, providing wisdom and guidance and courage, as they go about their important work in protecting the people of Illinois. Bless this Body in their work and their families as You oversee their efforts this day and each day to come. We ask this prayer in the name of our Lord and Savior. Amen."

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

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

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

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

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Hassert is excused today."

Speaker Madigan: "The Clerk shall take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were referred, action taken on November 17, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' is a Motion to Concur with Senate Amendment #1 to House Joint Resolution 54, 'approved for consideration' and referred to the Order of Second Reading is Senate Bill 1598."

Speaker Madigan: "Mr. Flider."

Flider: "Point of personal privilege, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, we'd like for

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you to join me welcoming two people from my district, two students, and if you would please stand. I have with me today, Mr. Daniel Runion, a senior at Mt. Zion High School and Ms. Kelly Smith a senior at Milliken University, and they're our guests today and I'd appreciate it if you'd join me in welcoming them here today. Thank you."

Speaker Madigan: "Mr. Boland."

Boland: "Yes, thank you, Mr. Speaker. Point of personal privilege."

Speaker Madigan: "State your point."

Boland: "Members of the House, I'd like you to welcome a number of people from Carroll County and including, I believe, there's some from Clinton County, Iowa, that are also visiting with them. I believe they're somewhere up in the... There they are, up in the gallery there. Thank you."

Speaker Madigan: "Mr. Rose. On HR 1227, Mr. Rose."

Rose: "Thank you, Mr. Speaker. Ladies and Gentlemen, I'm very happy today to have Caitlyn Strader from Hindsboro, Illinois, in my district... in my district with us. She is Miss Illinois National Pre-Teen. She was elected or actually won the competition in July, and next week will be representing the State of Illinois at the national competition. Caitlyn is a seventh grader at Oakland Schools and science is her favorite subject and I'm sure she's gonna do a great job next week for us in Oakland, so I'd ask that... that we all recognize Caitlyn here, and I think we have a Resolution as well that I'd ask for your affirmative vote on. Thank you, Mr. Speaker."

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

Clerk Bolin: "House Resolution 1227.

WHEREAS, Caitlyn Strader of Hindsboro has been named Miss Illinois National Pre-Teen 2004; and

WHEREAS, The Miss Illinois National Pre-Teen Program is an organization that rewards girls ages 9-12 for their accomplishments in academics, interview skills, gown presentation, and personality projection; the girls also compete for scholarships through Scholarship America; and

WHEREAS, The Miss Illinois National Pre-Teen Program 2004 was held in Peoria on July 23-25; over 7000 applications were sent to 9-12-year-old honor students throughout the State; of those who returned initial applications, 35 applications were accepted; 15 girls from all over the State competed for the title of Miss Illinois National Pre-Teen 2004; and

WHEREAS, The girls submitted report cards, test scores, and a resume of all their school, extracurricular, church, and community activities; and

WHEREAS, As the overall winner of the State competition, Caitlyn will represent Illinois at the National Pre-Teen Achievement Program in Orlando, Florida on November 20-28; and

WHEREAS, Caitlyn has been the guest speaker at the local Lions Club, Oakland City Council, Hindsboro Village Board, Oakland Chamber of Commerce; she has also helped at charity events; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we

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congratulate Caitlyn Strader on being named Miss Illinois National Pre-Teen 2004; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Caitlyn Strader as an expression of our esteem."

Speaker Madigan: "Mr. Rose on the Resolution."

Rose: "Thank you, Mr. Speaker. Again, we're very happy to have Miss Strader with us today. I know that she's gonna do a great job of representing our state at the national competition next week in Orlando and I'd ask your favorable consideration on this Resolution."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted, and Caitlyn, congratulations, again. I hope you enjoy yourself here at the Capitol in Springfield. Mr. Smith."

Smith: "Thank you, Mr. Speaker. On a point of personal privilege."

Speaker Madigan: "State your point."

Smith: "I'd like to ask the Members of the Body to join me in wishing a early happy birthday to one of our Members. My seatmate, Representative Tom Holbrook, is going to have a birthday next week and I believe his birthday is the same as the interstate that many of us take to get here, and that's not 72. Happy birthday to Tom Holbrook. Cake is down in front, please join us."

Speaker Madigan: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker, also a point of personal privilege."

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Speaker Madigan: "State your point."

Sacia: "Mr. Speaker, my distinguished colleague from the other side of the aisle, introduced the folks from Carroll County, Thomson, Illinois, area and inadvertently failed to mention why they're here today. These folks are from Thomson, Illinois, where the second largest capital investment for a building in this state was spent several years ago in the building of Thomson Correctional Facility. It started under Governor Edgar, it was completed under Governor Ryan and now Governor Blagojevich has it and it sits vacant. Many of these folks expended their life savings in building facilities to deal with the infrastructure that would come with Thomson Prison and unfortunately, it has never opened as all of you are aware. I'm sure all of you are aware, as well, of the conditions of Illinois prisons in Illinois. This morning we met with representatives of the Bureau of Prisons and I said I understand that you are about a 140 percent of capacity. Sergio corrected me and he said, 'Representative, you've got it wrong, we're 177 percent of capacity.' And this facility sits vacant, 750 jobs desperately needed in Thomson, Illinois, a correctional facility desperately needed by the Department of Corrections. Please help me in convincing our Governor to open this... this prison and please help these folks really feel welcome for the good work they're doing, trying to bring something back to their district."

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Speaker Madigan: "Mr. Daniels. Mr. Daniels on HR 1237. The Gentleman indicates he does not wish to call the Resolution. Mr. Stephens. Mr. Stephens. Mr. Verschoore. Mr. Verschoore, did you wish to call HJR 97? House Joint Resolution 97 is concerned with Route 92. Mr. Verschoore, please present the Resolution."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House of Representatives. What this Bill or this Resolution does is rename a portion of the expressway in my district, and it'll be known as the Rock Island Parkway and I ask adoption of this Resolution. I'd be happy to ask... answer any questions."

Speaker Madigan: "The Gentleman moves for the adoption of House Joint Resolution 97. There being no discussion, the question is, 'Shall the House adopt House Joint Resolution 97?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And the Resolution is adopted. Mr. Joe Lyons on HJR 100. Representative Eileen Lyons."

Lyons, E.: "Thank you, Mr. Speaker. HJR 100 is a very important Resolution, in as much as it is going to encourage the Department of Energy, along with our congressional delegation, to award the contract for a rare isotope accelerator to our jewel in this state and that is Argonne National Labs. The U.S. Department of Energy will be deciding shortly where to locate this exciting new technology. With the accelerator will come a 6 to 10 year construction contract, worth about \$1 billion and between 100 and 200 million for operation annually. Construction

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of this facility is expected to generate about 10 thousand construction jobs. Hundreds of permanent staff positions will be created and the Chicagoland area will be the destinations of thousands of scientists who will come to the accelerator to study. Also this project will generate billions of dollars in economic impact over the years the facility is in operation. The rare isotope accelerator will also give Illinois students a one-of-a-kind opportunity to study physics right in their own back yard. And I would encourage your strong support of this... and a bipartisan support of this Resolution."

Speaker Madigan: "The Lady moves for the adoption of the Resolution. There being no discussion, the question is, 'Shall the House adopt House Joint Resolution 100?' Those in favor signify by saying 'yes'; those opposed by saying 'no'. The 'ayes' have it. The House does adopt House Joint Resolution 100. Mr. Lang. Mr. Lang. Mr. Lang, on the qualification challenge. Mr. Lang on House Resolution 1251."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Resolution 1251 is a committee Resolution of the qualification challenge committee. This... this committee had several hearings relative to a petition that was filed relative to the seating of Patricia Bailey for this General Assembly. Rather than go into the entire report which is very long, I would just submit to you that the Resolution is a unanimous Resolution of the committee dismi... or recommending that we approve a report that would indicate

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that the petition that was filed challenging the seating of Patricia Bailey be stricken and dismissed. The petition... the Resolution, also, would allow a certain attorneys' fees to be paid to both sides in this matter. And I would move that the House adopt the Resolution."

Speaker Madigan: "The Gentleman moves for the adoption of House Resolution 1251. Is there any discussion? There being no discussion, the question is, 'Shall the House adopt House Resolution 1251?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. The House does adopt House Resolution 1251. Mr. Joe Lyons. Are you seeking recognition, Mr. Lyons?"

Lyons, J.: "Yes, Speaker, I do. Ladies and Gentlemen of the House, it's my privilege and my honor that was asked by the Comptroller's Office to remind all of us as Members that the combined charity appeal is being sign up... the sign-up day is today in the Speaker's Conference Room, immediately behind the podium, behind the... in the Speaker's Conference Room in the hallway. But the theme this year is 'Discover the Gift of Giving. I think all of us are familiar with the many charities that do such wonderful work across the state. Every county is affected: Special Olympics, Community Shares, the Black United Fund, American Charities, American Cancer Society, the United Way. There are hundreds and hundreds of ways for all of us to help, simply by authorizing a buck, five bucks, ten bucks,

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whatever we can afford to help the many, many worthy causes across the State of Illinois. Please Members, take a moment today, even if you are currently signed up, you need to reauthorize your deduction. Please take a moment in the Speaker's Conference Room and sign up again for the combined charities on behalf of the State of Illinois and behind of everybody who's affected by this. Thanks and God bless you for your help."

Speaker Madigan: "Mr. Miller."

Miller: "A point of personal privilege."

Madigan: "State your point."

Miller: "Members... Ladies and Gentlemen of Gen... General Assembly, I'd like all of us to welcome McKinley School in South Holland, teachers Ms. White and Ms. Beckford. They're here for the governmental class to learn about the process of what we do here in Springfield. Let's all welcome 'em, they're standing over there."

Speaker Madigan: "On page 2 of the Calendar, on the Order of Concurrence, there appears HJR 54. Mr. Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 54 is similar to the Resolution... exactly the same as what we passed out previously. It simply adds one more member to this task force which will research best practices in rural water infrastructure projects. I'd be more than happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. Is there any discussion? There being no

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discussion, the question is, 'Shall the House adopt HJR 54?' Those in favor signify by saying 'yes'; those opposed by saying 'no'. The 'ayes' have it. The House does adopt House Joint Resolution 54. Let the record show that the last vote was to concur and that the House does concur in the Senate Amendment to HJR 54. Mr. Stephens. Did you wish to call House Joint Resolution 95? Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. House Resolution... House Joint Resolution 95 is a Resolution in honor of one of our former Members, United States Senator and presidential candidate, Paul Simon. You might know that Paul comes... came from my district, was a newspaper editor in Troy, Illinois, came to the Legislature, met his wife Jeanne, they were married, he went on to become Lieutenant Governor and then United States Senator and served this state and certainly our area in Southwestern Illinois very well. And what this Resolution asks is that a portion of Route 162, which passes through his old hometown, be renamed in honor and as a memorial to Senator Paul Simon. I would appreciate your consideration, Mr. Speaker."

Speaker Madigan: "The Gentleman moves for the adoption of HJR 95. Is there any discussion? There being no discussion, the question is, 'Shall the House adopt House Joint Resolution 95?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does adopt House Joint Resolution 95. Representative Currie."

Currie: "Thank you, Speaker. I move to suspend the posting requirements so that Senate Bill 218 may be heard in

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Executive Committee this afternoon and Senate Bill 81 in Judiciary I."

Speaker Madigan: "You've all heard the Lady's Motion. Is there leave? Leave is granted and the posting requirements are suspended for those two Bills. Mr. Flider."

Flider: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, on Saturday will be a very important day in central Illinois. On Saturday, it'll be another opportunity for the Arthur Lovington Knights High School team to continue their unbeaten streak in football and they'll be playing a team that is from northwestern Illinois in the district of Representative Jim Sacia. And of course, Jim Sacia will be supporting his team from Stockton, Illinois. But in lieu of this important day in central Illinois, when the Arthur Lovington Knights will be continuing their unbeaten streak, I wanted to offer a friendly wager to Representative Sacia, that if indeed, it doesn't turn out the way I believe, I would certainly be... want to offer up something in honor of a victory in Stockton, Illinois, which I don't think will happen, but in the event that it does, I would like to place a friendly wager of some Amish-made Baby Swiss cheese. A wheel of Amish-made Baby Swiss cheese to Representative Sacia for a victory that probably will not occur but just in case it does, wanna offer that up to you."

Speaker Madigan: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. I certainly accept the challenge. The only thing is, is Representative Flider is

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going to have to get used to losing. Fortunately, in Stockton, Illinois, we have the Stockton cheese plant, which is the largest manufacturer of Swiss cheese in the nation. And I have in my possession 5 pounds of Stockton Swiss cheese, again, the finest in the nation and I certainly except the challenge. But the Arthur Lovington Knights are going to have to experience their first loss and I'm sad to say that, but reality will set in on Saturday."

Speaker Madigan: "On page 3 of the Calendar, on the Order of Total Veto Motions, there appears Senate Bill 2196. Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. I vote to... I move to override the Veto on Senate Bill 2196. This is the legislation that establishes the Metropolitan Water Reclamation District of Greater Chicago as the stormwater management agency for Cook County. And after this Bill passed both the House and the Senate last May we were reminded in very vivid fashion as to how critical this is for Cook County and the entire northeast Illinois region. After days of rain in Wisconsin, the Des Plaines River overflowed it's banks all the way from the Wisconsin border all the... down through Cook County. Roads were closed, businesses were affected, homeowners spent days sandbagging and then after the stormwaters receded, unsandbagging, costing residents and local governments hundreds of thousands of dollars. And this was only the most recent example of flooding in the county. Every year Cook County

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residents spend \$211 million on flooding and spend \$10 million on flood insurance. And currently, we have no one who addresses storm... stormwater in a comprehensive fashion, it is very piecemeal. Each community does it's own thing and we're limited to... by what those local governments can do. Stormwater doesn't affect these municipal boundaries and it is generally acknowledged that the most important thing we can do is establish a regional approach to addressing this issue. Under this legislation, the Metropolitan Water Reclamation District will create a countywide stormwater management plan and that plan will then be implemented. In order to do that, the district has agreed to reduce their current taxing authority for sanitary sewer and devote a nickel of that taxing authority to stormwater management. At a maximum, if... if they went up to the maximum, which we don't anticipate will happen for a while, it would be \$17.50 per \$100 thousand of assessed valuation. This is a new service for Cook County and it is a smart investment against that \$211 million we spend every year to address stormwater management. All of the regional municipal conferences support the legislation and... as well as the... a number of the other storm... regional stormwater management authorities. If we do nothing, the stormwater problem will only increase. So, this is very critical piece of legislation for addressing this issue and reduce... actually reducing the amount that we have to spend on this... on stormwater management every year. I ask for your support."

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Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. This override is very important, especially for us Members who represent districts along the Des Plaines River. Our districts have a lot of property that are included in flood plain areas which have become worthless because of a lack of a plan to address flooding in our areas. We literally have property we cannot build on, we cannot sell. This Bill has passed at least pre... twice previously in this chamber. It's very important to us Legislators in Cook County that we would allow the Water Reclamation District to implement the stormwater management plan so that we could make properties in our area worth something. And as the Sponsor alluded to it would save our constituents millions of dollars in flood insurance which is... which is required on their mortgages day in and day out, every day of the year. Like I said, we've passed this at least two times, previously. It's very important to us because Cook County's the last county in... in this state that failed, that has not passed the stormwater management plan. So, I would urge my colleagues to really take a close look at this and help us, help us to give relief to our constituencies who are plagued with these flood situations. And I would ask respectfully that we override the Veto on Senate Bill 2196. Thank you."

Speaker Madigan: "Representative Krause."

Krause: "Thank you, Mr. Speaker. To the Motion. I also join is asking for support to override this Veto. As has been

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mentioned, there is a strong need in... in Cook County to have sound planning so that we can come up with the plans necessary to address the flood control issues that clearly are needed. Again, this year we experience a large amount of damages to a number of the municipalities to many homeowners that cost millions of dollars. This legislation and we have addressed this issue in the past, it has passed the House. But this spring we addressed it, we had meetings in Des Plaines, the Sponsor, Representative Mulligan, myself and others worked with the Water Reclamation District. They were very amenable to proposals that would be made in this legislation. They also agreed to a cost benefit analysis as to which projects are truly needed to support the need for this legislation. The time has come to pass this legislation. It is sound, it is needed and it will finally address the issue that is needed in Cook County. I also urge for a 'yes' vote to override the Veto."

Speaker Madigan: "Representative Mulligan. Are you seeking recognition on this Bill? There are certain people who wanted to know your views on this Bill. Mulligan."

Mulligan: "Mr. Speaker, you're, ya know, every good thing you desire or, ya know, is my command. Your command is my wish, whatever. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Mulligan: "No one is recognizing me."

Speaker Madigan: "The Sponsor yields."

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Nekritz: "I... I certainly will."

Mulligan: "Thank you. Representative Nekritz, I think you've done an excellent job on this Bill. In the communities that we represent, you know this has been an ongoing issue for a long time, don't you?"

Nekritz: "Absolutely."

Mulligan: "Okay. I'll probably just speak to the Bill. The communities in our area probably spent 10 years trying to agree upon who should be the authority and who should have the oversight in this area. And along the Des Plaines River and communities that any number of us in this Body represent in the whole area, the flooding situation has been insurmountable. From the time you have the great floods, which we would consider '86 and '87, the great floods in our area, it is supposed to take some congressional oversight in all agencies 15 to 17 years to come together. That has not happened. We're past that time. This may be a little bit of difficult Bill, but the Governor should never vetoed it. It was something that was needed for our area. He arrived on the scene saying he was going to help us and then the Bill that has taken the communities 10 years to come together and that was given to Representative Nekritz and Senator Garret to carry, which they did a very good job on and in which they passed originally, should have been passed because it was most important for the whole area to come together under one flood authority. Other counties, such as Lake, have this kind of agreement. They do this. It's worked very well.

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We would certainly ask the support of people that live up and downstream from us because what we do is important to what you do. Our ability to manage flood water helps you manage your flood water. If we can't manage ours, it's gonna make an impact on you. This is a very important Bill. I think it was very short-sighted that... that it was vetoed. We would certainly encourage your support of this because it impacts everybody that lives in this area, no matter what county you live in if you're along that river. So, it's most important for this override to go through. So, we certainly ask for your support because we think it is a very important Bill and the oversight that, Representative Nekritz has explained in the past is there. But it is important for our communities. It will save millions and millions and millions of dollars that we spend every year, particularly for poor people who cannot recover when their properties are flooded. So, I would certainly urge an 'aye' vote and I commend the Representative for all the work she's done. And if you can really dig down and give us this vote we would appreciate it."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, do you have an estimated cost of what this will be over the years to alleviate the flooding that occurs in your area?"

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Nekritz: "If the entire nickel were to be levied, which would not be the case initially, it would be about \$50 million collected and that would, again, offset the \$211 million investment that we... that we're... that we're currently making in flooding in Cook County each year."

Black: "How will that be financed?"

Nekritz: "It... it would be through a property tax."

Black: "A property tax without referenda?"

Nekritz: "Correct."

Black: "Well, what rate are you establishing in statute? Are you establishing a five-cent rate by this Bill?"

Nekritz: "This... this takes a nickel, a five-cent rate out of the Metropolitan Water Reclamations District... District's current taxing authority for disposal in treatment of waste water and moves it to stormwater?"

Black: "So, one could perhaps make the argument that while you transfer a nickel rate you're taking a nickel off the other rate. So, would it be a fair assumption to say actually it's a wash? There's no net property tax increase for that first year."

Nekritz: "Well, I think that would be a little overstating... overstating the case a little bit because currently they're... they're not... not able to access that nickel under the tax cap."

Black: "All right. If... if the nickel does not prove to be a sufficient generating source, what provisions do you have for raising it? Will it be raised by the board? Will it

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be raised by vote? How... how will that... how will that occur?"

Nekritz: "Since that nickel is set... would be set in state statute. In order to raise that, the Metropolitan Water Reclamation District would have to come back for... to us for additional authority."

Black: "All right. So, the General Assembly then would assume some oversight responsibility for the financing of this flood control project, right?"

Nekritz: "Correct."

Black: "You know, I always get nervous when I... I've been to the Millennium Park in Chicago and it's very beautiful. But as I recall it cost considerably more money than they estimated and took about 3 years longer than they estimated. That's... that's a major concern that I have with this project. It's estimated at 51 million. What assurance do the taxpayers have that it won't turn into a \$2 billion flood control project?"

Nekritz: "The... the initial plan under this legislation is to be developed by local authorities, local elected officials along with the Metropolitan Water Reclamation District and there are stated provisions in the legislation for public input. So, there are opportunities for the public to... to speak directly to the Metropolitan Water Reclamation District on the... on the size of the... and scope of the plan. And the... this... this is not just one project, Representative. This is an on... this is an ongoing... this is

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an ongoing venture to address these issues 'cause we're not gonna to address it in the first year."

Black: "Oh, no and I understand that. Do you... do you have an approximate time line?"

Nekritz: "There's no time limit. I mean, once... once we... once we give them this authority, in many ways it's like the sanitary sewer that... sewage that they address now. It's an ongoing problem and... and an ongoing... and there will be ongoing solutions. This is... this is a very... this is identical to what Lake County, DuPage County, and Kane County already have in terms of stormwater management, where there's no time limit and there's no dollar limit."

Black: "So, I... I guess the only oversight would be if you... if the project mushrooms and continues for years then the... the oversight would be with the General Assembly in not authorizing an increase in the base tax rate? Would that... would that be fair?"

Nekritz: "That... that would be part of it. But in addition, the... the members and the president of the Metropolitan Water Reclamation District are elected officials and I assume if they get to out of hand..."

Black: "Okay."

Nekritz: "...the electorate can speak to them and tell them that their actions are inappropriate."

Black: "Are... are they... are they elected by various districts or they... or are they or excuse me, are they elected at-large?"

Nekritz: "They are at-large."

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Black: "Is there a fair geographic representation of the current board or are they concentrated in the metro area of the city itself?"

Nekritz: "No. There are... there are suburban and... and city representatives from that... on that."

Black: "All right. And that... that means that I've been following the debate. Are all of the outlying suburban communities onboard with this?"

Nekritz: "I don't... I don't think they all are. But all of the municipal conferences: the Northwest Municipal Conference, the Southwest Conference of Mayors and Managers, the Southside Mayors and Managers and I believe the West Suburban are. All of those COGS, the Councils of Government, have signed on."

Black: "All right. I just have one... one last question. Growing up in a farm area, I know that whenever somebody does a great job of drainage on their 600 acres somebody else gets the water. Now, when all of this is done, in particular what caught my eye or caught my ear, what were dikes and perhaps dikes along the river that would channel that water and that increases the speed of the water. Where does the water end up? Does it go into Will County or... or where does this empty eventually?"

Nekritz: "In... in addition to having this regional approach, the Department of Natural Resources and the Federal Army Corps of Engineers still have jurisdiction over any project that... that we would undertake and it is the job of those agencies to make sure that any project that we would undertake would

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not affect a downstream community. And so that oversight is still there. And that's... that's specifically contemplated in the legislation."

Speaker Madigan: "Mr. Black..."

Black: "All right."

Speaker Madigan: "...could you bring your remarks to a close?"

Black: "Was that a request or..."

Speaker Madigan: "Yeah, it's a request."

Black: "Strongly... or a strong request."

Speaker Madigan: "Simple request."

Black: "Well, thank you, I will. Thank you very much, Mr. Speaker. To the Bill. Ladies and Gentlemen of the House, I think it's disingenuous as someone said earlier for the Governor to veto this Bill. Yes, there is a tax involved. Would there any... is anybody in this chamber so naive to think you can do this kind of a project and not have a funding source? Do you think the money is just going to automatically appear? Flooding occurs in almost every region of the state. And those of us who have problems downstate will reach out to you to help us. And on occasion those of us who live downstate have to reach out to help you. I think when all is said and done this project has been negotiated with the vast majority of people who live in this area that suffers from these floods. I intend to vote 'aye'. Yes, somebody's gonna put out a campaign brochure sometime and say I voted to break the property tax cap. Well, I... all I would ask is that people who have their houses ruined, their furnishings

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ruined and, in fact, on occasion their lives ruined are probably willing to pay the tax in order to eliminate and alleviate the flooding concerns. It is part of government's responsibility to do that. I intend to vote 'aye'. I urge my colleagues to vote 'aye' as well."

Speaker Madigan: "The question is, 'Shall this Bill pass, the Veto of the Governor notwithstanding?' The Motion requires 71 votes. And this is final action. Mr. Clerk, take the record. The Clerk shall take the record. On this question, there are 73 people voting 'yes', 44 people voting 'no'. This Motion, having received the required Three-fifths Majority, the Motion to override prevails and the Bill is declared passed, notwithstanding the Governor's Veto. Mr. Daniels. Mr. Daniels on HR 1237."

Daniels: "Yes. Thank you, Mr. Speaker. Could we read that Resolution?"

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

Clerk Bolin: " House Resolution 1237,

WHEREAS, The members of the Illinois House of Representatives offer our sincere congratulations to Coach Joe Newton, the 2004 York Community High School boys cross country team, and the entire York Community High School on winning the Class AA Boys State Championship title; and

WHEREAS, The Dukes cross country team has won 24 state titles in 43 years under Coach Joseph Newton's guidance; and

WHEREAS, We congratulate Coach Joe Newton, whose tireless efforts and expertise have led the York Community High

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School Dukes to a remarkable three straight state championships; and

WHEREAS, We thank Assistant Coach Charlie Kern for his dedication and commitment to the York boys cross country team; and

WHEREAS, The Dukes won the Niles West Sectional in Skokie to advance their team to the Illinois High School Association state meet in Peoria on November 6th; and

WHEREAS, York runners finished 1st, 2nd, and 3rd, the first time in history all three honors were won by a single school; and

WHEREAS, The Dukes' overall score of 56 lead them to a record 24th state championship; no other athletic team in any sport has ever accomplished this feat in Illinois high school history; and

WHEREAS, Senior Sean McNamara was the 1st place runner with a time of 14 minutes and 32 seconds, followed by junior Matt Dettman in 2nd, junior Eric Dettman in 3rd, senior Mike Arnold in 21st, sophomore Nick Kuczvara in 29th, junior David Montgomery in 75th, and senior Roger Billhardt in 137th; and

WHEREAS, The Dukes' championship cross country team also includes Mike Fry, Justin Jones, Brian Marchese, Lionel Montenegro, Tom Jung, Matt Edwards, Mark Sulkin, Alan D'Ambrogio, and Ron Stefani; and

WHEREAS, Also supporting the Dukes' drive for victory were Mike Gaska, Joey Salveggio, Greg Potoglu, and Peter McGlodrick, the team managers; and

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WHEREAS, We recognize the commitment of Athletic Director Craig Davelis and the Athletic Department, as well as the entire York Community High School, in their dedication to train and educate superior athletes and well-rounded students; and

WHEREAS, These runners have made countless sacrifices to succeed in their goal of winning a third straight cross country state championship; and

WHEREAS, The York Community High School, the Elmhurst community, and friends and families are proud of these fine young athletes; and

WHEREAS, This title represents the dedication and team unity these young men have shown all season; and

WHEREAS, We recognize the talent of these young athletes and their coaches; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby offer our congratulations to Coach Joe Newton and the members of the York Community High School boys cross country team on their 24th state championship title; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Coach Joe Newton, Superintendent Dr. Joel Morris, Principal Diana Smith, Athletic Director Craig Davelis, Assistant Coach Charlie Kern, York Community High School, and the members of the 2004 Class AA boys cross country championship team."

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Speaker Madigan: "Mr. Daniels."

Daniels: "Ladies and Gentlemen, would you please join me in welcoming the 2004 Class AA York Boys Cross Country State Championship Team, which are in the Speaker's gallery. Please give them a round of applause. If I can just take a minute of your time, this is an exceptional team and an exceptional accomplishment. You've heard and met many of them before. This is their third straight state championship. And Representative Biggins and I both represent Elmhurst, Illinois, where York cross country team lives. And on Saturday, November 6, the boys won an unprecedented 24th State Championship in Peoria, Illinois. Now, let me put that in a little perspective. Out of any high school in the whole State of Illinois in the history of the State of Illinois no school has ever won 24 state championships in any sport combined. So, you could see the exceptional team we have before you here. Mr. Speaker, I also have a special treat for you, Sir. Mr. Speaker, the principal of York High School, and I wonder if Diana Smith can stand up, Diana is a former employee of yours and worked for the House Democrats years ago. So, please welcome back Diana Smith who was an employee of the House years ago. Also, Joe Newton the Coach of York cross country team underwent surgery yesterday, so he's unable to be with us, but his able assistant and great Assistant Coach Charlie Kern is here, Charlie and the athletic director Craig Davelis, Craig Davelis. Now, this whole team deserves your great support and honor. But Ladies and

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Gentlemen, another feat of the this team, they finished 1, 2 and 3 in the cross county championship, never before happened in the history of the State of Illinois. Please say hello to the State Champion of the State of Illinois and cross country Sean McNamara who finished first and is our state shampion. Sean, stand... stand up and say hello. Right behind him... right behind him were Matt and Eric Dettman, they're twins and they finished second and third. Matt and Eric. In cross country they only had run seven runners. And all seven runners, of course, finished respectively and helped bring this championship. So, as I read your names and I'll try to read them quickly with the House indulgement, please stand up and be recognized. Mike Arnold, Nick Kuczvara, David Montgomery, Roger Billhardt were a part of this overall championship team, so, please say hello to the remaining seven of this team. Mike Fry, Brian Marchese, Justin Jones, Tom Jung, Matt Edwards, Lionel Montenegro, Mark Sulkin, Ron Stefani, and Alan D'Ambrogio. Say hello to them as well. And Ladies and Gentlemen, they're joined by their managers Joey Salveggio, Mike Gaska, Greg Potoglu, Peter McGlodrick and they're the managers of the team. Once again, what a great team they are. They set history. They are continuing to set history. We're gonna bring 'em back next year for their 25th straight championship, 25, we will next year. You heard it here. Once again, congratulations, State Championship York Cross Country Team. Thank you for being here."

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Speaker Madigan: "Ladies and Gentlemen, if we could have your attention for the purpose of an announcement. We want... I want to introduce my daughter Lisa, who happens to be the Attorney General of the State of Illinois. Back to HR 1237. Those in favor signify by saying 'yes'; those opposed by voting 'no'. The 'ayes' have it. And the House does adopt House Resolution 1237. Representative Younge."

Younge: "Thank you, Mr. Speaker. For purposes of an announcement, there'll be a Democratic House Caucus in Room 114 immediately after Session."

Speaker Madigan: "Did you want to characterize this as an important conference or not?"

Younge: "Very important..."

Speaker Madigan: "All right."

Younge: "...conference meeting."

Speaker Madigan: "All right. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "The Order of Agreed Resolutions. House Resolution 1247, offered by Representative Giles. House Resolution 1249, offered by Representative William Davis. House Resolution 1250, offered by Representative Morrow. House Resolution 1252, offered by Representative Pankau. House Resolution 1254, offered by Representative Reitz. House Resolution 1255, offered by Representative Kelly. House Resolution 1256, offered by Representative Mulligan."

Speaker Madigan: "The Clerk, has read the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does adopt the Agreed Resolutions. Representative Currie moves that the House

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stand adjourned until tomorrow at 10:00 a.m. providing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until tomorrow at 10:00 a.m."

Clerk Mahoney: "The House Perfunctory Session will come to order. Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, November 17, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 218, 'recommends be adopted' a Motion to Concur with Senate Amendment #2 to House Bill 1007. Representative... Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on Wednesday, November 17, 2004, reported the same back with the following recommendation/s: 'do pass Standard Debate' Senate Bill 81, referred to the House Committee on Rules: House Resolution 1171, offered by Representative Krause. House Resolution 1172, offered by Representative Black. House Resolution 1248... Committee Resolution, offered by the Qualification Challenge Committee. House Resolution 1253, offered by Representative Watson. And Senate Joint Resolution 73, offered by Representative Graham. Introduction and reading of House Bills-First Reading. House Bill 7357, introduced by Representative Boland, a Bill for an Act concerning public employee benefits. House Bill 7358, introduced by Representative Berrios, a Bill for

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an Act concerning employment. House Bill 7359, introduced by Representative Saviano, a Bill for an Act making appropriations. There being no further business, the House Perfunctory Session will stand adjourned."