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The following is a general overview of the legislative activity occurring during the Illinois General Assembly's 1998 veto session. Reports also include detailed information about legislative activities of direct interest to each client.

CLIENT REPORT FOR 1998 VETO SESSION

The 1998 veto session concluded on Thursday, December 3, with relatively little legislative activity having occurred. The General Assembly did not take up the controversial subjects of riverboat gambling expansion, early retirement incentives for state employees, and gas or other tax increases for road and mass transit improvements. Instead, the legislature concentrated on vetoes and other, less controversial legislation. The following are some highlights of the 1998 veto session.

I. VETOES

Among the more significant veto override actions were the following:

- Override of the Governor's amendatory veto on the Religious Freedom Restoration Act. This legislation provides that state and local governments may not substantially burden a person's exercise of religion. The amendatory veto had limited the measure in the contexts of prisons and jails. The override votes were nearly unanimous.

- Override of the amendatory veto of legislation changing the Local Governmental and Government Employee Tort Immunity Act to limit immunity of local governments from liability for injuries on public property where supervision is taking place, or by law should take place, and there is willful and wanton malfeasance or nonfeasance by the supervisor. Interested parties on all sides of the issue were supportive of the original bill, with the exception of local governments in Chicago and Cook County. The override votes were nearly unanimous.
- Acceptance of the Governor's amendatory veto of SB 1203, which authorizes a township in a county with a population of more than 3,000,000 to fund and provide special services for its streets, street lighting, sidewalks, sewer and water systems and other necessary adjuncts by establishing a special service area.
- Total veto override on legislation increasing prizes fraternal organizations can award in pull tab games.

II. OTHER ACTIVITY

Among the other noteworthy items of legislative activity, or inactivity, were the following:

- No action occurred to address a problem with the sales tax law, which was recently declared unconstitutional by a circuit court judge as a violation of the single-subject rule. Mayor Daley's proposal to require licensing of gun shops and to prohibit gun store owners from selling weapons to residents was also not considered. A compromise proposal to reinstate the retail rate law for methane gas facilities on landfills was not considered, and a last-minute proposal to establish strong non-termination rights for Illinois liquor distributors was not considered in the Senate.
- The Senate Highway Improvement Task Force released its report stating that the state roads and mass transit infrastructure are at a crisis stage. There were several recommendations to increase revenue without raising the gas tax. Some of these recommendations include raising license plate fees, shifting motor fuel sales taxes from the General Revenue Fund to the Road Fund, increasing bonding authority for mass transit programs, reducing the state's diesel fuel tax, and giving a bigger share of state dollars to Cook and the collar counties. Legislation may be crafted for the January "lame duck" session.
- A Conference Committee has been requested and appointed for HB 525, which deals with tax increment financing, or "TIF." Senators Peterson, Radogno, Lauzen, Clayborne and Berman have been appointed to this committee; House conferees have not been appointed. At this time, a copy of the report is not available.

- The Real Estate Practice Act re-write, HB 2688, is currently on third reading in the Senate. On behalf of BOMA/Chicago, a legislative intent statement will be read into the record. The bill is expected to pass when the 90th General Assembly concludes its business in January.
- Each caucus elected leaders for the 91st General Assembly. As expected, Senate President Pate Philip, Senator Minority Leader Emil Jones, House Speaker Mike Madigan and House Minority Leader Lee Daniels will maintain their leadership positions.
- State Senator Martin Butler (R. Park Ridge) passed away this week. He served his area for three decades as alderman, mayor and state senator. Early reports indicate that David Sullivan will be appointed to this vacancy.
- State Senator Bruce Farley (D. Chicago) resigned his seat after pleading guilty to ghost payroll charges in the Cook County Treasurer's Office. It is expected that Senator-elect Lisa Madigan will be sworn in to serve the remaining month of his term.
- The Senate refused to approve Governor's Edgar's final appointments to 114 state boards and commissions posts by voting present. This unprecedented action, with 57 Senators voting "present," will allow Governor-elect George Ryan to make these appointments.

III. 1998 NOVEMBER ELECTION

The 91st General Assembly will be sworn in on January 13, 1999, with the executive branch officers taking the oath of office on January 11, 1999. The following is a brief summary of the 1998 election.

A. Executive Offices

<u>Governor</u>		<u>Secretary of State</u>	
George Ryan (R)	51%	Jesse White (D)	55%
Glenn Poshard (D)	47%	Al Salvi (R)	43%
<u>Attorney General</u>		<u>Treasurer</u>	
Jim Ryan (R)	61%	Judy Baar Topinka (R)	50%
Miriam Santos (D)	37%	Dan McLaughlin (D)	48%
<u>Comptroller</u>			
Dan Hynes (D)	58%		
Chris Lauzen (R)	40%		

B. Illinois Senate

The Senate Republican majority grew from 31-28 to 32-27, due to the election of Duane Noland in the 51st District (the seat was held by the late Penny Severns, and thereafter by appointed Senator Kevin Kehoe). The contested State Senate races were as follows:

7 th District		19 th District	
Walter Dudycz (R)	57%	Bill Mahar (R)	57%
Michael McCormack	43%	Pam Woodward (D)	43%
22 nd District		28 th District	
Tom Walsh (R)	63%	Marty Butler (R)	60%
Brian Bailey (D)	37%	Laura Murphy (D)	40%
29 th District		38 th District	
Kathy Parker (R)	55%	Pat Welch (D)	53%
Nancy Alessi (D)	45%	Bob Studzinski (R)	47%
40 th District		43 rd District	
Debbie Halvorson (D)	66%	Larry Walsh (D)	64%
Flo Ciarlo (R)	34%	Arlene Albert (R)	36%
50 th District		51 st District	
Larry Bomke (R)	71%	Duane Noland (R)	62%
Gwen Montgomery (D)	28%	Kevin Kehoe (D)	38%
53 rd District		58 th District	
Judy Myers (R)	71%	Dave Luechtefeld (R)	55%
Don Roesch	29%	Barb Brown (D)	45%

The new Illinois State Senators are:

Kimberly Lightford (D-4) replacing Collins (D)
Duane Noland (R-51) replacing Kehoe (D)
Ira Silverstein (D-8) replacing Carroll (D)

C. Illinois House

The House Democrat majority grew from 60-58 to 62-56, due to the election of two Democratic candidates from traditionally Republican Lake and McHenry Counties: (a) Susan Garrett in the 59th District (the seat held by Lt. Gov.-elect Corinne Wood); and (b) Jack Franks in the 63rd District (defeating incumbent Mike Brown, who was appointed following the retirement of Ann Hughes). The contested House races were as follows:

35 th District		37 th District	
Maggie Crotty (D)	57%	Kevin McCarthy (D)	55%
Patrick Burns (R)	43%	Maureen O’Hara (R)	45%
38 th District		43 rd District	
Renee Kosel (R)	62%	Bill O’Connor (R)	53%
Scott Pyles (D)	38%	Mark Kuchler (D)	47%
59 th District		63 rd District	
Susan Garrett (D)	54%	Jack Franks (D)	50.1%
Chris Stride (R)	46%	Mike Brown (R)	49.1%
64 th District		75 th District	
Cal Skinner (R)	55%	MaryKay O’Brien (D)	62%
Jeannine Smith	45%	Denny Peters (R)	
38%			
95 th District		102 nd District	
Rich Myers (R)	53%	Bill Mitchell (R)	51%
Mike Beaty (D)	47%	Lee Holsapple (D)	49%
106 th District		107 th District	
Dale Righter (R)	57%	John Jones (R)	54%
Carolyn Hodge (D)	43%	Greg Backes (D)	46%
115 th District		116 th District	
Mike Bost (R)	55%	Dan Reitz (D)	55%
Don Strom (D)	45%	Bruce Brown (R)	45%
118 th District			
Jim Fowler (D)	51%		
Jack Hill (R)	49%		

The new Illinois State Representatives are:

Julie Hamos (D-18) replacing Schakowsky (D)
 Willie Harris (D-29) replacing Fantin (D)
 Timothy Schmitz (R-42) replacing Duechler (R)
 Suzanne Bassi (R-54) replacing Bergman (R)
 Susan Garrett (D-59) replacing Wood (R)
 Tim Osmond (R-62) replacing Churchill (R)
 Jack Franks (D-63) replacing Brown (R)
 Keith Sommer (R89) replacing Ackerman (R)
 Bill Mitchell (R-102) replacing Noland (R)
 James Fowler (D-118) replacing Phelps (D)

IV. CONCLUSION

Prior to commencement of the 91st General Assembly at noon on January 13, 1999, the current legislature will reconvene from January 11 to 13. During this “lame duck” session, significant legislative activity is possible.