

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

61st Legislative Day

December 2, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Father Henry Schmidt, Little Flower Catholic Church, Springfield, Illinois. Father Schmidt.

FATHER HENRY SCHMIDT:

(Prayer by Father Henry Schmidt)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Jones.

SENATOR W. JONES:

Mr. President, I move that the reading and approval of the Journals of Tuesday, November 30th, and Wednesday, December 1st, in the year 1999, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Jones moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Bill 877 - the Motion to Concur with House Amendments 1 and 3 Be Adopted, and Senate Amendment 3 to House Bill 2148 Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

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A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 36.

Adopted by the House, December 1st, 1999. It's substantive.

PRESIDENT PHILIP:

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1288, offered by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

...Bills 1st Reading.

SECRETARY HARRY:

House Bill 104, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1138, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 1828, Senator Dillard.

(Secretary reads title of bill)

And House Bill 2110, by Senator Dillard.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 232, offered by Senator Link and all Members.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

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Consent Calendar. Senator Donahue, what purpose do you rise?

SENATOR DONAHUE:

Well, thank you, Mr. President. For the point of announcement, please.

PRESIDENT PHILIP:

State your announcement.

SENATOR DONAHUE:

We'd like to call immediately for a Republican Caucus in Senator Pate Philip's Office. It shouldn't last that long, but we would ask for it immediately, in Senator Pate Philip's Office.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Yes, there'll also be a short Democratic Caucus as well. Have any idea how long you'll be gone, sir?

PRESIDENT PHILIP:

I would hope by 10 o'clock at the latest. My intention, just so you understand, is to get out of here as quickly as we can. I have an 11 o'clock airplane. But it -- quite frankly, it doesn't look -- look very good at this point. But we were going to do the best that we can do. And just remember this and keep this in mind: If we don't get it done, we're going to still be back here in -- in -- in January. We can probably do some of those things in January. I would prefer to do 'em now, but evidently there are a few glitches over in the House these days and -- and everything we've got, I think, we can pass that's on the Calendar and get out of here. But I'm going to be very cooperative and see what the House can do. If they get their act together and get it over here, I would say, hey. But some of my people have obligations. They all want to get out of here by noon. So do I. But we will -- we'll try to work things out as -- as best we can. Senator Demuzio.

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SENATOR DEMUZIO:

I second the motion.

PRESIDENT PHILIP:

Thank you.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate will come to order. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1289, offered by Senator Tom Walsh.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 544, offered by Senator Cronin.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, if I could have your attention, please. We will be momentarily going to the regular Calendar. And on page 2, the first bill, House Bills 3rd Reading, will be House Bill 1120, with the sponsor, Senator Peterson. And then Senator Watson, on 1124. Senator Rauschenberger, on 1202. All right. On the regular Calendar, page 2, top of page 2, House Bills 3rd Reading, is House Bill 1120. Senator Peterson. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1120.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 1120, as amended, deals with the Illinois Income Tax Act to create deductions for financial reparations made to Holocaust survivors. As you know, many banks in Switzerland and in other areas of Europe have pretty much come to a close in approving 1.25 billion settlement between clients and those victims of the Holocaust and other people who have been persecuted for religious or racial reasons by Nazi Germany. This creates a deduction for individuals, trusts and estates, but not corporations, in an amount equal to the amount of any distribution made to the taxpayer because of his status as a victim of persecution or {sic} (for) racial or religious reasons by Nazi Germany or any other Axis regime or as an heir of the victim and any items of income in any way related to assets stolen from or otherwise lost to a victim immediately prior to, during, immediately after World War II, including interest on the proceeds receivable as insurance under policies issued to the victim by European insurance companies. However, this does not include amounts from the sales of such assets. Applies only to a taxpayer who was the first recipient of such assets after their recovery and a victim of {sic} (or) an heir of the victim. Currently, if a person receives some type of distribution from a country, that is tax-exempt. But many of these funds are going to be put in a pool that's going to be distributed by some type of foundation, and we wanted to make sure that those are -- those funds are not used. Also, we want to state that these receipts -- any -- any type of receipt will not limit somebody's ability for assistance, benefit, or some other type of entitlement from the State. So I would ask your support

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of this very important bill, and I hope that we get unanimous support from this Body. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I want to thank the principal sponsor for his leadership on this issue. And I wanted to call the fellow Senators' attention: The impact on this bill, fiscally, is nominal. Estimates from the Jewish Federation of Chicago is that there may be seven thousand people, probably much, much less, who may be qualified for receipt of some of this distribution. The much more important part of this bill, Ladies and Gentlemen, is the message of recognition by the State of Illinois of the outrageous - Senator Watson, did you hear that, outrageous? - outrageous acts that took place in the Holocaust and by the Nazis. This is very important to the Jewish community. Yesterday, with the consent of the principal sponsor, Senator Peterson, I distributed to everyone a copy of the article that talked about the court case that's pending in New York City regarding the reparations claims. On behalf of the Jewish community, Senator Silverstein and I want to thank all of you for your consideration of this measure. It's -- it's very important to our community. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Just a question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Peterson, just for clarification, is this legislation

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aimed toward any one specific ethnic, religious or racial group, or is this for all victims of the Holocaust in Nazi Germany?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

For -- it's for all victims.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President -- excuse me. Mr. President and Ladies and Gentlemen of the Senate, this is a bill, I think, is very -- is very worthwhile. This is not income. These people had their monies over there, and they were entitled to their monies, but they were taken away outrageously. So, I certainly speak for it and I urge everyone to support it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I stand in support of this bill. No one in this room can either fathom or conceptualize atrocities that happened in the Holocaust. Even though we can't forget it, we must move on. I support the bill. I publicly want to thank Senator Peterson and Senator Pate Philip for the negotiations, if I can quote Senator Rauschenberger that it was a -- a "lively and spirited discussion" on this bill. But this is a good bill, a bill that we have to move forward, and I hope for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? If not, Senator Peterson, to close.

SENATOR PETERSON:

Thank you, Mr. President. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR MAITLAND)

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All right. The question is, shall House Bill 1120 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1120, having received the required three-fifths majority, is declared passed. On 1124, Senator Watson? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1124.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. This legislation impacts the ability of an unincorporated area to incorporate, primarily, into a village. And the community that's in Madison County by the name of Mitchell is what brought this issue to light for me and those of us who represent the Madison County area. What it would do is just reduce the number of inhabitants from eight thousand to five thousand to be able to petition for a village as -- a village situation, and it also reduces the county population from three-fifty to two-forty, in order to be able to do this. This brings in Madison County and it also then, obviously, impacts this community of Mitchell. There would be a front-door referendum, so if the people in Mitchell decide that they don't want to do this, they will have the opportunity to -- to say no, or yes. From what I understand, they're overwhelmingly in support of this, but that would be their determination. That's what the legislation does, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

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Is there discussion? Senator Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. Would sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Walsh.

SENATOR L. WALSH:

Senator Watson, an issue that -- that is as important as this and, I think, has far more reaching effects other than just the specific area that you are -- you are trying to address, this -- this issue didn't even come before our Local Government Committee. I know that in our areas, up around my way and -- and in the collar counties, that we're looking at these situations all the time taking -- taking effect. And in fact, right in my -- in Will County, we're looking at a major incorporation. Something that I feel that is that important, that we should've had a committee meeting on to at least hear what was being proposed, and more importantly, though, what effects it would have on areas outside of Mitchell. According to our staff, we are looking at the possibility of at least three or four other counties that lowering this threshold would have an impact on. So I -- you know, is -- is it your intention that if this bill is passed, that this would immediately go into effect?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

It does not have an immediate effective date.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR L. WALSH:

Well, if it does not have an immediate effect, and we probably are looking at a date -- effective date of July 1 of 2000, what would be the problem in holding this bill, bring it back in -- in

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-- in -- or, in January, go through the procedure with committee hearings and testimony and actually see, for all of us here, what this -- what this would have -- what the -- what the repercussions could be?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

The bill did come out of Rules. It was posted for a committee hearing and -- but it was not addressed by the sponsor. Sponsor did not ask the bill to be heard and therefore it was referred back to Rules. This bill was heard in the House. It passed 115 to 1, I believe, is what the vote was there after consideration. This is a very important issue to the people of Mitchell. They're wanting to get their act together locally, and I think that this is an appropriate time to -- to move forward with this -- with this effort.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh.

SENATOR L. WALSH:

Well, again, going back to my point, if it's not going to take effect immediately, then the earliest that they could possibly put this on a referendum would be in November of 2000, which means that if we -- if we address this adequately in the spring Session and give it its due process, that we could still pass this bill, get it out, effectively go into -- or, become effective on July 1, which still would give the same opportunity than what we'd be giving them right now. I just feel that -- that we are opening up a -- a -- Pandora's box here that has more reaching effect than just Mitchell.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

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Well, thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I -- I want to concur with the remarks of Senator Walsh. I really don't have any quarrel with what we are doing here; however, the fact of the matter is, is that I don't have any idea how this impacts the other communities in my district. For example, as a matter of fact, I was just been -- just informed that this only -- does this only impact four counties in Illinois? Let me ask the sponsor that question, if I might, please.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Demuzio. Senator Watson.

SENATOR WATSON:

I'm not sure how many counties are impacted.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my understanding that it only impacts Kane, Winnebago, St. Clair and Madison, but the fact of the matter is, is that we're really not sure what the total impact is. Obviously, if it only impacts those four, obviously it's special legislation, obviously has some conflict with the Constitution. But I think the -- the point has been made that there has been no committee hearing with respect to this bill. For example, I -- I have an idea that there a number of communities around the State of Illinois that are -- lie within or adjacent to -- lie adjacent to cities that have not been annexed. And as a consequence, by lowering the threshold, I don't know when -- what impact that that does to the other communities in the State of Illinois. It seems to me that we, as Members of the General Assembly, ought to be able to know what the answer to that is, and therefore this bill should have been afforded a public -- public hearing in the -- in the Illinois Senate. I would think that, for all of us, since it won't -- if it gets thirty-six, it becomes effective immediately

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upon becoming law in this Body; if it only gets thirty, it doesn't become effective until July of next year. So I would advise, hopefully, that -- that perhaps it doesn't get the requisite thirty-six votes to be passed immediately. If -- if it's going to pass, why, if it only gets thirty, then it seems to me that there's still ample time. As a matter of fact, I understand there's a litigation that's currently going on with this particular struggle in Mitchell and Granite City and Edwardsville. So I don't know why we're injecting ourselves into this -- into this process now. We could wait till January or February and resolve this. It's not necessary for us to do it today. Let's take a look at what this -- what impact that this thing does have statewide, how it affects me in my district. And I -- I -- I'm prepared to vote Present today, Senator, in -- in order to clear up some of the questions that I still have on this bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Watson, would you like to close, sir?

SENATOR WATSON:

Well, thank you, Mr. President. Quite honestly, I don't feel totally comfortable doing this, because this is -- it -- Mitchell is not in my district. Mitchell is in -- in Senator Bowles' district. And it -- and you're correct: This -- this does have far-reaching implications other than just Madison County and -- and the community that I'm representing. But -- but I do think -- and all we're asking here is that -- giving people the right to govern themselves, and that's what the people of Mitchell want to do. When this started out, the environment by which Mitchell is a community was around twenty-two square miles; it's now less than seven square miles. And what is happening is Granite City is coming from one direction, Pontoon Beach from another, and Edwardsville from a different direction. All of 'em gobbling up,

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as they go, the -- the high value of -- of property that is, unfortunately, decreasing their ability in assessed valuation situation. So Mitchell -- and I've got -- and -- I won't read this, because -- it'd be good for you to read it. Anybody who has some concerns about this and what we're doing, I'd like for you to read what the people of Mitchell think and what they say about this. We just want to give them an opportunity to have a say in how they're governed, and that's all this is going to do. And I would ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1124 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 31 Ayes, 4 Nays, 20 Members having voted Present. And on that -- and House Bill 1124, having received the required constitutional majority, is declared passed. Senator Demuzio has requested a verification of the affirmative roll call. Request is in order. Would all Members be in their seats, please? Senator Demuzio.

SENATOR DEMUZIO:

Let me -- let me -- before you do that, let me -- let me ask an inquiry of the Chair. Was I -- was I correct in my presentation that indicated that if the bill did not receive 36 votes, that it would not become effective upon law; that if, in fact, this now does have the requisite 31, that it would become effective, providing the Governor signs it, July the 1st of the year 2000?

PRESIDING OFFICER: (SENATOR MAITLAND)

There is no immediate effective date listed on the bill.

SENATOR DEMUZIO:

So, therefore, if it doesn't receive the -- the thirty-six votes, it won't be effective, if the Governor signs it, until July

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of -- the end -- the end of the -- the -- fiscal year.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator, it needs thirty votes to pass. If it gets thirty votes to pass, the bill will become law.

SENATOR DEMUZIO:

No. But not immediately.

PRESIDING OFFICER: (SENATOR MAITLAND)

June 1st, yes.

SENATOR DEMUZIO:

All right, thank you. Well, I -- I look -- as I look around, it seems to me that most of the -- of our cast of characters are here so I withdraw my request for a verification.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you very much, Senator Demuzio. All right. Middle of page 2 is House Bill 1202. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1202.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1202 is the Illinois Development Finance Authority bond authorization increase. By Statute, IDFA, before they can issue additional bonds, is required to come to us periodically to request increases in the fund levels. This increases their general purpose bond authorization by one billion dollars and their infrastructure bond authorization by one billion dollars, for a total increase in their bond authorization of two billion dollars. IDFA is a conduit bonding authority. There's no State

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obligation or State revenue involved. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House -- I'm sorry, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. I had some questions about this that have been resolved. It seems to me this is probably the prudent thing for us to do, and I would rise to support the gentleman's motion.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Thank you. The question is, shall House Bill 1202 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. House Bill 1202, having received the required three-fifths majority, is declared passed. Middle of page 2, House Bills 3rd Reading, is House Bill 2148. Senator Clayborne, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator Clayborne seeks leave of the Body to return House Bill 2148 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 2148. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. When the Governor signed House Bill

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2163, creating the International Tourism Fund, he recommended some changes to the law by amendment, which do the following in this amendment. The -- the original language created the Illinois Partnership for International Meetings and Tourism, a non-for-profit corporation, and this language eliminates that agency and transfers the funding and responsibilities of the Partnership to DCCA. It prevents a potential conflict of interest, therefore, for the Partnership Board members. Since the Director of DCCA and four directors of various tourism offices were to be Partnership Board members, they would have been in a position of making grants to their own tourism offices. In addition, the Director of DCCA would have had to have made grants from DCCA to the Partnership on whose Board she would be sitting on. The distribution of money does not change and it raises the cap on the Tourism Attraction Development Grant Program from one hundred thousand to one million. The Program is designed to help build or expand tourism-related activities and requires recipients to provide a fifty-percent match of funds. The current maximum grant loan amount of a hundred thousand dollars is insufficient, according to the Governor's Office, to help large-scale developers to build or expand tourist attractions in Illinois. This is something that was worked on and I think it's unanimously supported, and I would seek your support of this amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dudycz has moved the adoption of Floor Amendment No. 3 to House Bill 2148. Is there discussion? Is there discussion? If not, those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

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3rd Reading. On the Order of House Bills 3rd Reading is House Bill 2148. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2148.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you -- thank you, Mr. President. I think that Senator Dudycz has explained the amendment, which deletes the previous bill and -- and becomes the bill. And if there are any questions, I'd be more than willing to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 2148 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 55 Ayes, no Nays, 1 Member voting Present. House Bill 2148, having received the required three-fifths majority, is declared passed. Senator O'Malley, on House Bill... Okay. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 567.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measure assigned: Be Approved for

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Consideration - Conference Committee Report 1 to House Bill 2773.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

While were having a lull here, I'd like the record to reflect that Senator Trotter is absent today due to legislative business.

PRESIDING OFFICER: (SENATOR MAITLAND)

The record will so indicate, Senator Demuzio. Thank you. Ladies and Gentlemen, on your desk is Supplemental Calendar No. 1. Secretary's Desk, Concurrence. Senate Bill 877. Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 877.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen. The concurrence motion on Senate Bill 877 deals with permitting the Illinois Toll Authority to enter into leases longer than ten years, for the purpose, essentially, of securing requests and proposals to reconstruct, redevelop and renovate the -- the toll plazas -- the -- not the toll plazas -- the oases that include restaurants and service stations. Under the new Procurement Code that we passed, I think about a year and a half ago, leases are limited to ten years. This creates an exception that allows the Toll Authority, for those oases, to enter into leases up to twenty-five years. In meeting with developers interested in redoing the oases over the last year or so, it has become clear that ten years is too short of a horizon for a entity to do a renovation on an oasis, incur the cost and recover in ten years. I'd appreciate favorable consideration. Be happy to answer

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questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger has moved to concur with House Amendments No. 1 and 3 to Senate Bill 877. Is there discussion?
Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Cullerton.

SENATOR CULLERTON:

Senator Rauschenberger, are you familiar with the leases that the Tollway currently has with people that operate their food franchises at the oasis? And can you tell me if the rent that is charged there is based on a -- a commission or a percentage of the sales that are sold?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I don't have any personal knowledge, but I'm reliably informed by staff that the current leases are on a percentage-of-sales basis.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

Yes, that's the way it -- it works. Also, I'm aware of the fact that that's the way it also works, for example, at O'Hare Airport. The City has leases. They charge the food vendors a percentage of their sales. But I can tell you that those leases are ten-year leases and those food vendors spend a lot of money to build out and upgrade those facilities. It's more expensive to do that at the airport because of security reasons and the like. So I'm -- I'm just a little curious why, in the case of the Tollway

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and in these oases -- and I can tell you from personal experience, it's atrocious stopping off at a Tollway oasis. It's -- it -- the way it's managed is -- is terrible. So something should be done, but I'm really curious about whether or not it's necessary, why they say it requires twenty-five years instead of ten years to get their investment back when -- when we have an analogy at the airport where it's only a ten-year lease?

PRESIDING OFFICER: (SENATOR MAITLAND)

Was that a question, Senator Cullerton?

SENATOR CULLERTON:

Yes, if he could respond to that.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I think that's a good question. It gives me the opportunity to kind of highlight the differences. When the toll road was originally constructed, the oases were built as part of the original bond authorization, so the original leases were to lease an existing structural place. What the Toll Road Authority is seeking to do in these new proposals is not merely to have the inside of the space renovated and brought up to date and maybe new bathrooms installed. They're asking the -- the developer to be responsible for structurally renovating the entire plaza. Cost estimates are -- exceed fifteen million dollars. So unlike an airport concession where I'm in charge of my vanilla {sic} envelope updating and -- and bringing it up to date, we're really asking them to be responsible for the entire plaza in order to save the toll payers some costs.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will sponsor yield?

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PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

And pardon me, Senator, if -- if you've already mentioned this, but, number one, was there an attempted letting with the result that no one would bid under the ten-year lease limitations? That's my first question. And then the second question is, before any of these twenty-five-year leases are let, must they all be rebid?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As it was explained to me by Ralph Wehner, they prepared a Request for Proposal and circulated it in draft form to people that they knew to be interested in this, and the reaction that came back consistently from people like Wendy's and McDonald's, who have the wherewithal and interest in doing these, is that they were very interested in taking responsibility for the complete renovation, but they saw no way, realistically, to do it within a ten-year time horizon. I don't think under the formal process of posting to the Internet and -- and putting out an RFP, it has ever been officially let. The way these will be let in the future -- or, if we were to approve this, the only way they can be let under the Code would be for them to prepare a proposal, revise it based on our legislative action, if we do proceed, and then let it out. And the other thing, as I understand, the Toll Road has decided, as a matter of policy, they want to limit developers to two or three oases only so that they have variable performance and a variety available to toll customers.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

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So on the -- on the second question, this legislation will not give any existing lessee an extension from ten to twenty-five years without a rebid, at which any other bidder could come in and -- and compete.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Staff informs me that currently all of the leases for the oases, the operating concession leases, are expired. They have been extended administratively for one year. We expect them to extend, while they prepare the Request for Proposal, and put all of the oases out to bid for new contracts. So I think the appropriate answer is yes.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? If not, Senator Rauschenberger, you wish to close, sir? The question is -- this is final action. The question is, shall the Senate concur in House Amendments No. 1 and 3 to Senate Bill 877. The voting -- those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 53 Ayes, 1 Nay, no Members voting Present. The Senate does concur in House Amendments No. 1 and 3 to Senate Bill 877. And the bill, having received the required three-fifths majority, is declared passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

We are going to go to Supplemental Calendar No. 2. Senator Syverson, on House Bill 2773. That is the Chair's intention. On the Order of Conference Committee Reports, on Supplemental Calendar No. 2, is House Bill 2773. Mr. Secretary, do you have on file a conference committee report on House Bill 2773?

SECRETARY HARRY:

Yes, Madam President. First Conference Committee Report on

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House Bill 2773.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. House Bill 2773 is a bill we saw earlier this week which tries to address some of the concerns that are still lingering with the child support change that took place earlier this year. The only change that we have in this legislation from what we did earlier this week, after going to conference, was we put a -- a immediate date in there for when the Department will begin their regional training programs. Other than that, there's no changes from what we originally had passed. Be happy to answer any questions that you might have on that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senator Syverson, I know that there have been lots of discussions and there was an effort made to try and come up with a solution to deal with those late checks and -- and the emergency disbursement issue and how we're going to collect. I have a question. Given that we weren't able to reach an agreement and this bill doesn't address that critical issue, what is the plan now? What can we expect within the next couple of months? How are we going to solve this serious problem? Are we leaving it up totally to the Department of Public Aid and -- and -- and the Unit to figure this out? Where are we?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

With this legislation, what we're able to do is give the Department the statutory ability to make some of the changes or implement some of the changes that they've wanted to do, which is

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going to make improvements where there are needs for improvements. Outside of that, it is a information problem that they have in the system that they are working diligently to get fixed. With this legislation, I think gives them the tools to further make those improvements. We will come back in January and have a chance to review what they've done over the last thirty days, to see if those changes have helped improve the system. I think they've made it pretty clear, even though I can't speak for the Governor's Office, they do not intend on addressing any of the recovery until this system is running at a comfortable level and we have a chance, as a legislative body, to come back in January and get an update of where they're at.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator del Valle.

SENATOR DEL VALLE:

Just one more question. We talked about compensatory relief for those individuals who have suffered hardships as a result of those late checks, even though they did get the emergency disbursements. Are we still going to come up with a way of -- of compensating those individuals next year?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Senator, you raise a -- a good point that certainly many individuals are concerned with and as you and others brought up during the meetings are concerned with. That is still being looked at. I -- I certainly would be supportive of some movement in that direction and be happy to work with you on that in January, when we come back together to -- for the spring Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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Thank you, Madam President, Ladies and Gentlemen of the Senate. I don't have a question of the -- of the sponsor, and I think we're all willing to support this legislation. But I -- I'm really a little bit ashamed of this Body and maybe it's because we don't know what to do, but this problem's not getting any better. Anybody that tells you that it is, is absolutely crazy. And it just is very unfortunate that a lot of kids, a lot of families, are going to have to have a very bleak Christmas because the State of Illinois and the Department has not been able to put together a package to where they can deliver these checks on time, number one, and, even still, to answer phone calls, to answer the faxes. We have some that we've been waiting on ten days and still have not even gotten a phone call back and/or a fax back. This is a complete shame and it's something that we should be very, very sorry for.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, Senator Syverson, to close.

SENATOR SYVERSON:

Thank you. I would just ask for your favorable support on this and your patience as we work to improve the system. And again, be happy to work with anyone who wants to come back in January and we will look at how the situation is -- is working at that point.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall the Senate adopt the Conference Committee Report on House Bill 2773. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 2773. And the bill, having received the required

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three-fifths majority, is declared passed. Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

Thank you, Madam President. Just to announce that Senator Radogno is not in Springfield today due to business in her district.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect. We are going to go to page 7 of your Calendar. Secretary's Desk, Concurrence, on Resolutions. Be Senate Joint Resolution 45, with Senator Maitland. Senate Joint Resolution 45. Read the -- read the motion, Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Joint Resolution 45.

The motion, by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Madam President. Two weeks ago, the -- the Senate passed out of this Chamber Senate Joint Resolution which -- which re-created the Illinois Growth Task Force and -- and we sent it to the House. The House offered an amendment, which I, frankly, agree with. The amendment that we will be adopting today clarifies that members of the Illinois Growth Task Force appointed pursuant to House Joint Resolution 10, which is currently active, shall serve as members of the Illinois Growth Task Force created by this resolution. I would move the adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment No. 1 to Senate Joint Resolution 45. Those in favor will vote Any. Opposed, vote Nay. And the voting is open. ...all voted who wish? Have all voted

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who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present, and the resolution is adopted. ...could have the attention of the Membership. We've basically concurred what -- or, finished the business we have on our Calendar, so we are waiting on Messages and things from the House. So basically, we're just going to be at ease until the call of the Chair, which could be momentarily. So just hang tight, guys and gals.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will reconvene. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 47, offered by Senator Maitland.

(Secretary reads SJR No. 47)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 47. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Maitland now has moved the adoption of Senate Joint Resolution 47. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. ...could have the -- or, the attention of those in the Chamber and those outside. We are getting ready to go to retirement resolutions. So those of you that wish to be on the Floor, please come quickly. Resolutions. We will -- we will proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those that have been read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any resolution?

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SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

There is no discussion. The question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. And the motion carries, and the resolutions are adopted. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1290, offered by Senator del Valle.

(Secretary reads title of bill)

And Senate Bill 1291, offered by Senators Geo-Karis, Link and Peterson.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 784, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 882, offered by Senator O'Malley.

(Secretary reads title of bill)

House Bill 1664.

(Secretary reads title of bill)

House Bill -- 1664, that is offered by Senator Cronin.

Senator Cronin offers House Bill 1667.

(Secretary reads title of bill)

House Bill 2062, Senator Cronin.

(Secretary reads title of bill)

House Bill 2063, by Senator Cronin.

(Secretary reads title of bill)

House Bill 2064, by Senator Cronin.

(Secretary reads title of bill)

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House Bill 2067, by Senator Cronin.

(Secretary reads title of bill)

And House Bill 2077, by Senator Cronin.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 428.

Passed the House, December 2nd, 1999.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolutions 230 and 231, both sponsored by Senator Emil Jones and all Members.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones moves to suspend the -- the rules for the purpose of the immediate consideration and adoption of 230 and 231. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Madam Secretary, read the resolutions.

ACTING SECRETARY HAWKER:

...Resolution 230, offered by Senator Emil Jones and all Members.

(Secretary reads SR No. 230)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

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SENATOR PETERSON:

Thank you, Mr. President. Having served with Senator Berman on the Insurance and Pensions Committee, as well as the Revenue Committee, I can say that this gentleman is one of the most well-versed and well-prepared gentlemen in any committee I've served on since I've been in the Legislature. He also is willing to work out a compromise. He's always there to give suggestions as how a bill could be better. And I think that's what makes us all better legislators. And I'm very happy that I was able to serve with Arthur, and I wish him well in his retirement.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. When I came into the General Assembly a few years ago and I got the opportunity to get to know Art, the first thing he said to me is that "you have the most awesome responsibility of anyone in the Illinois Senate." And I looked around in puzzlement and a little bit worried, wondering what I was going to be getting into. And he told me that that duty I had was that I was representing his children and grandchildren in my district, and he wanted to make sure I did the job well. So I thank you, Art, for your guidance and I promise one thing to you, and I faithfully will keep this, I hope, for many, many years: to represent your children and grandchildren. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Thomas Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Well, having played tennis periodically - it was alluded to in the resolution - with Senator Berman, I must say that, just as he was well versed and well prepared in his work in the -- on his committees, he was very well

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versed and well prepared in his tennis game. He was not, however, willing to compromise in the tennis game very much. And I want to say that Art was a little bit competitive also, in many of those matches. I would say to him -- he'd get a phone call and we'd talk in the afternoon. He'd say, "Well, let's play tomorrow." And what -- what time, Art? "Well, how 'bout 6 o'clock in the -- in the -- we'll meet in the lobby of the hotel." Well, like many of you, I don't know if you know, but 6 o'clock in the morning is a little rough on me periodically, because I like to work late into the night on legislation. And -- so Art knew that that was kind of a compromising time. I always had the vision that Art would call his wife at about -- maybe about 8 o'clock and the blinders would go down at about 8:30 and Art was fast asleep by a quarter to nine. That's when I was just usually getting started also, Art. So we did meet out there and we had a lot of enjoyable matches, most of which you won, also. So I'm going to have to find somebody that's a little bit easier to compete with. But I -- I want to wish you the best. We've gotten together in Chicago and played many times, and I hope we can continue to do that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Thank you very much, Mr. President. Art, I've enjoyed sitting next to you for a very short period of time. And I used to watch you and Howie, when he sat here. And I thought, gee, those guys get along pretty good. And, you know, I'm not Jewish, obviously, but -- but when we went to pick the seats, you know, somebody said, "Well, that's a Jewish seat." I said: Oh, really? I said: Well, I'm going to try it and see if something will rub off on me. I don't know. But... So, anyway, Art, I just want you to know, it's been a pleasure sitting next to you and also serving with you. And, you know, us Semites have to stick together, so I hope

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you have a great retirement and enjoy yourself.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. When you think about it, I think there's about three different ways that we can leave this place. Art's doing it the best way: voluntarily retiring at the top of his game. I just don't think in the -- I've been here twenty-one years. Art's been here, I think, thirty-one years, been through three redistrictings. I don't think there's anybody who has achieved the degree of respect in -- especially in one area, the way Art has in -- in education. It has been very easy for -- for me, representing the City of Chicago, knowing that whatever position Art takes, it's going to be a good position for my district. It makes it -- it makes it easy. It really does. And for that reason alone, there's going to be a tremendous void here in -- in this Body. And we are truly going to miss him for his expertise not only in -- in education, but in -- in every area that Art has had experience, both in his private life as a -- as a lawyer. He's brought those experiences to the General Assembly. It -- there's just some legislators like -- that -- that when they stand up and speak, you can just sort of tell there's -- there's a little bit more of attention given to what they have to say, and Art -- Art is one of them. He has helped us. He has helped the schoolchildren, not only of Illinois, but of all of the -- the State of Illinois. So, Art, we're going to truly miss you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. You've all known me for about a year; however, Art has known me since I was -- I started being a

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precinct captain when I was seventeen years old in the 50th Ward Democratic Party. So he's been a role model to me. And the joke in the neighborhood is, when I got elected, I went up to Art, I said: Art, will you be my rabbi? And he graciously took that under and he was a mentor. And the other joke is that he was going to bless all my food. He didn't bless my food, but, Art, it's been a blessing to serve with you this year. I'm going to miss your guidance and your advice. I wish you health. Mazel - Yiddish for good luck. And we should just continue to see you coming back to Springfield and welcome you. Good luck.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. Art, I will miss you. I will miss your very enunciated statement of your positions, even though I didn't agree with all of them. But you've certainly been a joy to know and a real gentleman. And I wish you and your spouse continued good health, happiness and success in all your endeavors.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. Senator Cullerton was right when he talked about the respect Art has. One of the things that's lost - I feel has been lost in the seven, eight years I've doing this - is the mutual respect that we have not only for each other, respect for whether it be secretaries, Pages, or respect across the Rotunda. That mutual respect seems to be getting less and less as time goes by. I don't know the reason for it. If I did, I'd probably talk about it and get it back. But one of the people that has always had mutual respect from across the aisle and across the Rotunda, from secretaries, Pages, Leaders, everything

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else, is Art Berman. And if we're going to miss anything about Art, is that, you know, his grace and intelligence has always brought that type of respect. And on behalf of the schoolchildren of Illinois and of Chicago, we thank you, Art. One of the reasons that I know he has this respect, it's one of the few times that the gavel doesn't have to be hit, because -- there's a few Members on your side, thank God, and only a couple here that are left, and Art was certainly one of them. When it was -- when Walter Dudycz or whenever anybody else was in the Chair said to speak on an issue and the next thing out of their mouth was "Senator Berman" and he stood up, it automatically got quiet in this room. And he was one of those people who can do that, and we're certainly going to miss him. We miss you, Art.

PRESIDING OFFICER: (SENATOR DUDYCH)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I -- I came to this place in 1979, and I asked then Minority Leader Senator Shapiro to put me on the Elementary and Secondary Education Committee and he -- and he did that. And I served with Art. I don't remember now, Art, how many years you and I served together on the Elementary and Secondary Education Committee, but I finally worked myself up to Minority Spokesman. You were a mentor to me. And you showed me how to care about boys and girls in this State. The thing about Art Berman: He cared about the schoolchildren in Chicago passionately, but he also cared about the boys and girls across the entire State. And I take you back to 1983, when then President Phil Rock and, by then, Minority Leader Pate Philip introduced a resolution to create the Illinois Commission for the Improvement of Elementary and Secondary Education. And those of you who go back as long as we do know what that was all about. That was Illinois' response to "A Nation

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at Risk" that had been commissioned by President Reagan to try to improve education across the nation. It was a very indicting report. And many states handled it in different ways, but Illinois handled it the right way. We formed a commission, we worked hard for two years, and then introduced legislation to embrace what we had -- had learned across the State. And if you look at the Illinois Board of Education budget today, there are ten or eleven items in that budget that came from the Illinois Commission. The legislation, as you may recall, was Senate Bill 730. Art Berman and I were cosponsors of that legislation. That -- that initiative addressed boys and girls who were at risk of academic and social failure. Art Berman championed that. That has formed the very basis of our improvement of elementary and secondary since 1985. Everything has been built from that foundation. Art, your ability to frame issues, your ability to get very, very vocal and say "shame on you", "shame on us". You have said that so many times. The boys and girls in this State, generations past, present generations, and future generations, are better served by Art Berman. Art Berman, I'm proud to call you my friend. I'm indebted to your friendship. God bless you and Barbara.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and the Gentlemen of the Senate. As I look around this ornate, magnificent Chamber, a place where Art Berman has spent twenty-three of his thirty-one years away from home in this Chamber, I, too, will sadly miss my friend, Art Berman. Art and I have served on the Elementary and Secondary Education Committee, I guess, for the twenty-five years that I have been here, Art. And I suppose that I could simply say that there's -- in my opinion, there's been no one more seriously

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involved with education in this State than what you have. And I thought about what I might say here today, and I think some of what I had in my prepared remarks were those that were already included in the Senate resolution and some of those that -- issues that've already been alluded to by Senator Maitland, who knows also and knows you very well. But I had some observations that I would make about Art Berman over the years. Everything that has happened in the last thirty years, I guess, in education has Art Berman's - thirty-one years - has Art Berman's hand on it. I remember when the State was providing an anemic thirty-five percent of the funding for schools, Art nearly passed the 1992 education funding amendment, which would have required the State to meet our constitutionally mandated goal to provide fifty percent of the cost of education. And fifteen years ago, when the United States Secretary of Education called Chicago's public schools the worst in the nation. Today the Chicago schools are a model for -- of reform. None of that would have happened without the assistance of Art Berman. Art was the chief sponsor of the 1985 Illinois Education Reform Act, the 1988 Chicago School Reform legislation and the 1991 Chicago School Reform Restoration Law. And thanks to Art Berman, the Governors of this State can no longer play the shell games with the Lottery money that has been earmarked for schools. And thanks, in part, to Art Berman, education funding is a continuing appropriation in the State budget. So, yes, Art, you have left a tremendous legacy. You have left a imprint not only on education legislation, but a host of other landmark initiatives, from HMO reform legislation to doubling the personal income tax exemption to a stronger Judiciary. And I, for one, will always remember your eloquence and good humor and, most importantly, the fact that you were a gentleman. But also, Arthur, I have been around here long enough to be skeptical about certain things. I'm skeptical when any

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Governor says, "It's not a tax increase; it's a user fee." I was always skeptical when our former colleague, Dawn Clark Netsch, rose to give a speech on the Senate Floor and said, "Ladies and Gentlemen, I'll be brief." And I learned over the years to be skeptical when my friend Art Berman told me, "Don't worry about this piece of legislation; it doesn't do anything to the School Aid Formula." Somehow or other, Senator Maitland, I always had the -- the feeling that my pocket was being picked, but, apparently, I must have liked it, so it was good. And so, Art had a way about him when it came to -- to legislation. But I suppose some of the other things that I will remember, Art, over the years, and I was recalling some of this with Deanna last night at home: I can't forget how excited you were when your beloved Northwestern Wildcats ended their years of futility, their wandering in the wilderness, and they finally made it to the Rose Bowl. And all those years of frustration as a Northwestern football fan made it easy, Art, for you to handle being in the Minority and getting all your bills killed for the last seven years. And I think Art is probably the only Jewish person alive that sends out five thousand Christmas cards to each of his closest friends. And sitting down in front of me over these last twenty-five years, many of us remember when Art began courting his wife, Barbara. Of course, it'd been some time since Art had dated, so he needed some tips on how the dating scene had changed. And I would watch him go back and forth to Billy Marovitz's desk, when Billy was here. Well, probably, Billy wasn't the best person to talk about that dating, but for all practical purposes, apparently it has worked out well. And, Art, I can always appreciate the fact that, as a reader myself, I would come to the Senate Floor and I -- you and Howie would be sitting down there and I would say: I read this great book over the weekend with this great Jewish author. What do you think of him? And you

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would look at me and you would say -- I was looking for a critique of some sort of the book and he would say, "I never heard of him." So hopefully your successors will have the opportunity to read a little bit more than you do. Art, you're one of the good guys. You have credibility. You have all the qualities of honesty and things that are required of elected public official, and certainly, Art, without question, you're one of our best orators, you're one of our best debaters. And I think Senator Maitland and others will agree to that. There are a lot of times on this Floor when people get up to speak and everybody heads for the bathroom or does something else, but there are other times, when certain people get up to speak on legislation, that folks actually listen. And you are one of those genuine individuals who has the opportunity to say something that everyone will stop and listen, not only things that you know that you want to say before you come to the Floor, but on a -- on a spontaneous basis when amendments and things -- things do come up, and I've always, always appreciated -- always appreciated that. I suppose, in this world of new technology and faxes and E-mail and telephones and all the rest of this, you go on to bigger and better things. And as I had indicated, I believe to Senator Carroll when he left, I never expect you guys to leave; I expect you to be right outside the door there as soon as the Session is over with your new job and all of your requests in your hand. And so we're all looking forward to that. And finally, I really will miss you, but I always remember a saying that Billy Harris had, when Billy was the Minority Leader of this Body, and always remember this, that "Once a Senator, always a Senator." We really love you and will miss you. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

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Yeah. Thank you, Mr. President. You know, I concur with everything that has been said about Art. I listened to what Senator -- Cullerton said: We have a choice the way we leave here. The -- the choice that Berman made is the most difficult one, and that is to say it's time to say good-bye. I see why they attempt to pass legislation, albeit the Chicago City Council is working on legislation about cell phones, because I was in the car when the call was either patched through and I talked to Senator Berman, and he told me of his intentions. There was a long silence, he will tell you. He thought I was in a state of shock, which I was, but I almost had an accident, because when I came to my senses, I said: No, Art, you cannot do this. You cannot cheat the children of Illinois. He said, "Well, that's my decision; that's the way it is." But Art is a wonderful fellow. He's one who people listen to. He sets an example for all legislators, especially the newer legislators, as to what you should do when you come to a Legislative Body. There are many, many issues that we try to deal with. You can be -- try to be something to everyone, or you can concentrate on a particular area of interest. Art was education. I met him during my freshman term in the Illinois House. I had an opportunity to serve on the Education Committee for one day when a Member was absent. And that was at the time we were dealing with the funding bill called the "resource equalizer" funding bill. And I was reading the staff analysis and I was getting more and more confused, so I leaned over to Art and I said: What do you do on this, 'cause I don't understand. He said, "Just follow my vote." And I did, because they were talking about Strayer-Hague, districts and so forth. And one Member came over to me and said, "Who's Strayer-Hague? Are those two -- those two Republicans over there?" But he became an expert in the area that is important to all Illinoisans. Even though he was from Chicago, he did -- he took an interest in the

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downstate and suburban areas. He became the education person that was most respected throughout the State of Illinois in a Legislative Body, because he knew what he was talking about. And there were many times on this Floor or on the Floor of the House, where Art's views -- even though he was respected for his views, his point of view was voted down. But it's the manner with which he handled that. It's the manner with which he handled the issue as it relate to working so hard, trying to decide what is the majority constitutional mandate, and to get right up to that very point prior to the election day to have someone make a decision, saying "I'm not going to vote for it." The manner with which he handled it is one of the reasons why he's held in such high esteem. This past Tuesday, many of his friends, educators from all across the State, paid tribute to him to -- at a reception at the Hilton, which we put together for him because I -- in talking to him and talking to their friends, they said we've got to have something for him. And the streams of folks that came. All of his lovely secretaries, whom I've had the opportunity to know during all my tenure here. But he is the legislator that fought the hardest for all children. And some of the issues he fought are -- will still be with us after he's gone. Art, I'm proud to call you a friend. I'm proud to serve with you in this Body, because you taught me a lot about what one should do and how one must conduct themselves, and concentrating and becoming the expert where all come to you, whether they disagree with you or not. They will come to you because your opinion is one that they know is sincere. Our latest -- and it came up in our caucus, and I'll never forget this. Art is from Chicago. The latest major funding package that this Body passed with all the taxes came -- that was tied to it, Art walked in my office and he said, "This bill and this package that has been agreed to will not benefit your district as much as it's going to benefit the schoolchildren in

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the State of Illinois {sic}..." -- I mean, "outside the City of Chicago, particularly downstate." He said, "You're the Leader. Now, you can fight against this bill, but as the Leader, it is your responsibility to help deliver this package even though the majority of the funds in this package will go to the schoolchildren..." -- outside the State of -- "outside the City of Chicago." Those were his very words, because he cared about all children. So, Art, we wish you well in your endeavor. I -- I recognize that you are the Chairman of the -- of the Jewish Caucus. Silverstein, that's a tough mantle passed on to you, but you will have -- only have one person to chair, I believe. But keep up the good work, Art. We're going to miss you. The children of Illinois will miss you. But your legacy will be here many, many years to come. God bless you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Berman, I think you and I have served here longer than any two Members on either side of the aisle or over in the House or the Senate. So we go back a long, long way. And, Artie, you've always been a gentleman. You've been cooperative. You always were willing to sit down and work out a compromise for the benefit of the kids and the schools of Illinois. Now, we're going to miss you. I'm going to wish you long life, good health. I know you're going to be back down here again harassing us. My door will always be open. I consider you one of the good guys. And you certainly have reflected on your district and the system extremely well. We're very proud of you and we're going to miss you. But I know you'll be back down here haunting us once again. Good luck.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Berman.

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SENATOR BERMAN:

Early this morning, about 6:30, I talked to my wife, Barbara, and she said, "What are you doing?" I said: I'm reading some of the letters in the booklet that Senator Jones presented to me Tuesday night from people who sent beautiful, beautiful letters dealing with my retirement. She says, "Well, why do you sound the way you sound?" I said: Because I'm reading these and I'm crying. Listening to the beautiful, beautiful comments from all of you, my colleagues, it's great. And -- and Senator Cullerton put his finger on it. People said to me why am I retiring. I said: Well, I wanted to walk out; didn't want to be carried out. I want to thank Senator Jones for hosting a -- a magnificent party Tuesday night. I want to share with you a little story. Two weeks ago, I was over at the Mansion when Governor Ryan hosted the retirement party for Senator Fawell, and while I was talking to the Governor, he said, "You're retiring. Is there a party for you?" I said yes, and I said Senator Jones is putting it together. So later that evening Senator Jones saw the Governor and the Governor suggested that my party be held at the Mansion. And Senator Jones responded to the Governor to say, "The Mansion isn't big enough." And with the great work of Senator Emil Jones and his staff, Tuesday night we -- he was proved right. Somebody estimated that we had four hundred people at this party on Tuesday night, and it was beautiful. It was a -- a -- a wonderful tribute, especially because my wife was there to greet everyone with me. I had a -- a long string of former secretaries, both from Chicago and from Springfield, to join me and was -- it was great. The comments from my good friend, the Senate President, really touched on me, because one of the true reasons why I've decided to retire was that when I looked at thirty-one years, in this Body there was only one person who has served longer in the General Assembly in both houses than I have: Pate Philip. And

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when I looked at the Calendar and I looked at the coming elections, I decided that I would not out-serve Pate Philip, so I've thrown the towel in. I know that your comments are -- are going to be recorded and I'm going to love them. I'm going to impose upon my children to read them. I did want to recognize that one of the comments in his mind, even though it wasn't recorded today, I wanted to acknowledge that Senator Frank Watson, with whom I've served on the Education Committee for many years, Frank is saying to himself that my retirement announcement is "outrageous". And I appreciate those thoughts. I have thoroughly enjoyed my career in the Illinois General Assembly. I've treasured the successes that I have achieved in this Body. I've also enjoyed the challenges to me in the bills that I've sponsored that did not pass. And Senator Walsh is correct: That competitive nature, whether it's on the tennis court or on the Floor of the Senate, is one of the great driving forces that I have enjoyed. I want to thank my voters back home, who have allowed me to do this for all of these years. I've had a great relationship with them. I have done what I wanted to do, and they've endorsed it every election. I want to thank my staff for the great job that they have done in supporting me. And to each of you; to my good friend, Senator Emil Jones; to my friend, President Pate Philip; to each of you, I say thank you. I consider each of you my personal friend. I value that friendship and I will miss each of you. But I wish to leave you with a challenge. Education is the key to each person's future and to Illinois' future. Please, fight hard for education, fight hard for our children. And with that, you will assure all of us a better tomorrow. Thank you. Thank you. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Emil Jones has moved for the adoption of Senate Resolution 230. All those in favor will say Aye. Opposed, Nay.

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The Ayes have it. And the resolution is adopted. Senate Resolution 231. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 231, offered by Senator Emil Jones and all Members.

(Secretary reads SR No. 231)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jones.

SENATOR E. JONES:

Yeah. Thank -- thank you, Mr. President, Members of the Senate. Unfortunately, Senator Rea is not here with us today. And I don't know why he isn't; he was here every other day, and we thought he had retired. But I felt it necessary that we do as we do for all Members, to at least pass this resolution on one who has given twenty years to the Illinois General Assembly. And I've had the opportunity and the pleasure of serving with him during -- during that tenure. You know, he always had a nickname on this side of the aisle. I forget what kind of brother they called him. Maybe Senator DeLeo or maybe Senator Jacobs will tell you what that nickname was. But he left when we were not in Session, and I wish he were here. But he did distinguish himself in representing the people of the 59th District. I became knowledgeable about coal because of Jim Rea, of what you do with coal and the kind of deals that you must cut to take care of the "Coal Brothers". You know. So these are some of the things that Jim Rea brought to the Illinois General Assembly. This is a great, great, great university. And it's people like Jim Rea, Senator Berman, where you learn from them about how things impact on their particular area. Jim Rea was a great public servant. I know a function was held for him, which many of you attended, at the -- I don't know the name of the place down the street. But many persons attended that function. And -- and Jim Rea did serve with distinction.

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Some -- some of you will see him around here, doing his work with the Secretary of State. But, unfortunately, we were not in Session when he retired. But, again, he was a great leader. We respected him. I call him a friend. We used to have two "Coal Brothers"; now we only have one. I move adoption of this resolution.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Jim Rea and I came in together in the House. We were elected in 1978 and then came in and served together in the House and then, obviously, came over here. I think, from that class, Barbara Flynn Currie and -- and John Cullerton are the only ones that are left. Obviously -- and I always look at the board sometimes and I can always know how to vote on an issue when I look at John or see how Barbara votes. If they are red, I'm green. And if I'm green, they're red. And generally I'm always right - at least in my district. And that's obviously something that -- that Jim took very seriously, was representing his district. He -- when -- when we got together as downstaters -- or, actually, we called ourselves "way downstaters". You know, there's downstaters that live in Rockford and there's downstaters that live in -- where we are, and we call ourselves "way downstaters". And Jim was one that would get us together to talk about interests and concerns that we have for the people that we represent. And we've gone through some really tough times, and especially Jim's district, because of the coal situation, as you alluded to, Senator Jones. And he did everything that he could to -- to make life better for the people he represented. And it wasn't -- it wasn't always easy. But he was a stand-up guy for the people of the deep south, and that's -- that's something we should all appreciate. He was -- he was

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actually kind of good to us over here. Yeah, he was a "let's make a deal" kind of guy. And every now and then, we could go over there and -- and -- and get a vote or two. And -- and we appreciated that. Now, Senator Mitchell, we've got to talk. You have a legacy to live up to, sir. But, anyway, I will -- I'll miss Jim. But he's going to be around here. And it was Norb Andy's, by the way, that he had his function the other night. Just in case -- I know Jim Anderson and John Reilly appreciate me mentioning that on the Floor and getting it into the record. They own the place. But it was -- it was a fun time to be there and to see all the people who -- who celebrated with Jim his retirement and, obviously, his future endeavors. And he's -- he is a good man and we're going to miss him. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Members of the Senate. You know, Ladies and Gentlemen, one of the neat things about this Chamber that, frankly, the other one doesn't -- doesn't have is that -- that we have kind of a mutual respect for one another. We are -- frankly, after we're here for awhile, become brothers and sisters, and we can debate issues, partisan issues, we can argue, and we can walk off of this Floor and go out and have a drink or have dinner together, and that's a unique -- that's a unique aspect of this Chamber. I, too, came in 1979 when -- when Jim Rea did, and -- and have considered him a friend. At Norb Andy's, Senator Watson, there have been some discussions about some issues that -- that might come up in a day or two, and -- and Jim Rea was always a -- a statesman, a good public servant, represented his district, obviously, very well. We will miss him on the Floor of this Chamber, but we will look forward to working with him in the Secretary of State's Office. And, Jim Rea, we wish you well.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First of all, let me thank those of you in this Body who did attend Jim Rea's party at Norb Andy's. It was very nice to see about seventeen Members of the other side of the aisle that were there. And I know there'd have been a few more, but there was a little party going on, I think, up in Chicago with a presidential candidate. But I -- I want to thank you for that, and I know Jim would want me to thank you for that. With Jim Rea, I probably have run the entire gauntlet with Jim Rea, all the way from late nights in Keokuk, where I found out more about Jimmy Rea in one night than I'd known about him all the time here as a Senator. And as an example, I didn't know that Jimmy Rea -- and probably many of you are not aware of it, that Jimmy Rea was a thesis away from his doctor's degree. That's something I did not know. I did not know of -- of all of the jobs that Jimmy has held -- had held in -- in government, with Dan Walker, right on up to being a Representative and then a Senator. But I say I've run the entire gauntlet with Jim Rea because early on, about ten years ago, Jim and I had a little difference of opinion on the map. And I said a few things about him, both to him and in the media, something that Jimmy reminded me of about every other day, where I took him apart a little bit on what he did on the end of that particular occasion. He said, "You know," he said, "there's an old saying," which we all know, "you never judge another man until you've walked a mile in his moccasins." He said, "You've got to come down to my district and maybe you'll understand." Because during that period of time, also, there was a little thing called Comiskey Park, which Jimmy Rea was the sixtieth vote on in the House. And I went down to his district, and at that time, as

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Senator Watson alluded to, they were in the double-digit inflation, and they were in bad, bad shape. Jimmy said, "Let me just give you an example about the difference between your district and mine," and I think sometimes we'd all be well to remember this: Every district is different. He said, "Down here, with the double-digit inflation," he said, "I will take every, single job I can get." And Jimmy went out to make the deals in order to get that job done. So I asked him during that conversation, I said: Well, Jimmy, I'm curious, you know, before you come to the Senate, in the House you were the sixtieth vote on the Comiskey Park. He said what'd you get -- I asked him: What'd you get out of that? And he give me that little, wry grin he could give you and said, "Eighty million dollars." For his district. Now, some will call that pork. In Jimmy Rea's case, it was good government. It was taking care of the needs of his people whenever they needed that taken care of. And the thing that I think I -- I admire most about Jimmy Rea is his love for his family and for his grandchildren. He has a grandson that, at the age -- I think he is ten, the other day shot his first deer. And whenever Jimmy Rea told the story about his grandson coming -- running across the field to tell his "Pa Pa" that he had shot his first deer, the tears streamed down Jimmy Rea's face. Jimmy Rea is a compassionate man. He's a very sympathetic man that sometimes we all didn't see. And not only that, Jimmy Rea is one of the few guys I know that could out last me at night and get up a hell of a lot earlier than I could.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Molaro.

SENATOR MOLARO:

Just quickly. Thank you, Mr. President. This is a theme that Senator Maitland touched on, and we talked about mutual respect. We certainly are -- as President Philip would say, it's another

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one of the good guys leaving. And that's pretty sad. I -- the reason I think it's sad is we get newer and newer Members here and the faces change so quickly - not only here, but crazily across the hall - but it changes here: That we lose some of these good guys so quickly that we don't really learn that term "mutual respect". Some of us debate too loudly, too longly, with too much acid. It is amazing how both Senator Berman and Senator Jimmy Rea can do this, get up there and be able to make their point and argue their point and do it with such grace and respect. Every time they got up, I certainly listened so I could learn that. And -- and sometimes I go too long and get too acid, but I -- it's sad that we're missing 'em because they are the people that we turn to. But when I was told by my secretary that -- my assistant that Jimmy Rea was leaving, I have to say one thing, my second question was: What about Bunny? But good news is that she is staying. And we're going to miss Jimmy Rea, but I'm glad Bunny's still with us. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Emil Jones has moved for the adoption of Senate Resolution 231. All those in favor will say Aye. Opposed, Nay. The Ayes have it. And the resolution is adopted. Is there any further business to come before the Senate? If not, pursuant to the... If not, pursuant to the adjournment resolution, Senator Berman moves that the Senate stand adjourned until noon, Wednesday, January 12th of the year 2000. The Senate stands adjourned.

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