

STATE OF ILLINOIS  
90TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

118th Legislative Day

December 3, 1998

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? Our prayer today will be given by Pastor Rich -- Rick Wenneborg, Christian Church, Chatham, Illinois. Pastor Wenneborg.

PASTOR RICK WENNEBORG:

(Prayer by Pastor Rick Wenneborg)

PRESIDENT PHILIP:

Will you 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.

SECRETARY HARRY:

Senate Journal of Tuesday, December 1st, 1998.

PRESIDENT PHILIP:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Geo-Karis moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. {sic} There being no objection, still ordered. Senator Geo-Karis.

SENATOR GEO-KARIS:

I move that reading and approval of the Journal of Wednesday, December the 2nd, in the year 1998, be postponed, pending arrival of the printed Journal, and I move that the Journal just read by

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the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Reading of the Journal. (Journal action started over.)

SECRETARY HARRY:

Senate Journal of Tuesday, December 1st, 1998.

PRESIDENT PHILIP:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Geo-Karis moves to approve the Journal just read. There being no objections, so ordered. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I move that reading and approval of the Journal of Wednesday, December the 2nd, in the year 1998, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Geo-Karis moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. If I could have your attention for one minute, I notice that the outstanding Secretary of State-elect, Jesse White, is on the Floor of the Senate. Welcome aboard. Congratulations. We will hope to see you often. Committee Reports.

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bill 1921 Do Pass.

PRESIDENT PHILIP:

Resolutions.

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SECRETARY HARRY:

Senate Resolution 276, offered by Senator Lauzen and all Members.

It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 279 is offered by Senators Jones, Philip and all Members.

And Senate Joint Resolution 80 is offered by Senator Burzynski.

Senate Joint Resolution 80 is substantive.

PRESIDENT PHILIP:

If I could have your attention for one minute, Senator Bomke would like to make an introduction. Senator Bomke.

SENATOR BOMKE:

If I can have your attention very briefly, I have with us today and want to introduce -- proudly introduce to you -- I have a great deal of pride in -- in this school; been associated with it for a number of years. My wife taught at Chatham Glenwood for -- I believe it was twenty-two years. This is the IHSA 4A 1998 Football Champions, the Chatham Glenwood Redskins, and will you please help me in welcoming them to the Senate. I would like Coach Rourke to come up, if he would like, just to say a couple of things.

CHATHAM GLENWOOD COACH ROURKE:

(Remarks by Chatham Glenwood Coach Rourke)

SENATOR BOMKE:

Thank you, Coach Rourke. And, Senator Sieben, this is what Geneseo missed out on. I -- I failed to mention that this team was 14 and 0, so there were a lot of teams that missed out on this. We have a great team. You want to say something? I -- I

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don't know how to turn this thing on, so just speak loudly.

SENATOR SIEBEN:

Well, thank -- thank you very much, Senator Bomke. As the Senator from Geneseo, who lost in the semifinal game to Chatham Glenwood, I want to add my compliments to you young men for an outstanding game. Those of you who saw the game or followed the game know that it took 'em two overtimes to beat my hometown of Geneseo. We were -- we were tied at 17 to nothing. We got off to a quick start in that game with sixteen quick points and you guys came back and picked up, I think, twenty-seven after that and then we tied it at the end of the game. We'd still like to know what happened when there were seven seconds left to go in that game and we were lining up to kick that field goal. Whoever spooked our center ought to get -- be the one that carries that -- that trophy. But my compliments to you on an outstanding game in Geneseo that day, an outstanding game in the State championship. If there's any consolation for Geneseo, it's knowing that we lost to the State Champions. So my -- my compliments, my congratulations to an outstanding team and an outstanding season. You are...

CHATHAM GLENWOOD COACH ROURKE:

Thank you, Mr....

SENATOR SIEBEN:

You are truly State Champions.

CHATHAM GLENWOOD COACH ROURKE:

Thank you.

SENATOR BOMKE:

Thank you, Senator Sieben. And Senator Demuzio would like to make a few comments.

SENATOR DEMUZIO:

Thank you very much. First of all, I'd like to recognize a former, longtime distinguished Member of the Illinois General

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Assembly, Ken Boyle, who is with us. Former Representative Ken Boyle and his wife is -- down in -- down in the front there. Ken. And I guess one thing, you know, Members used to come to me and they'd say, "Ken Boyle did this and Ken Boyle did that." I said Ken Boyle didn't do anything; it was his son, Kenny Boyle, Jr., that did it all. Senator Bomke and I put together a little proclamation and I'd like to probably share it with you, if I might, for a moment. It says:

Whereas, We, the Members of the Senate, are proud to congratulate individuals as they celebrate major accomplishments in their lives; and

Whereas, The Chatham Glenwood High School Redskins football team won the IHSA Class 4(A) State Championship on November 28, 1998 - a game which I watched on -- on satellite - defeating the number one ranked Kankakee Bishop McNamara High School at 28-21 in Normal; and

Whereas, The Redskins' undefeated season united the community of Chatham in a way few events have ever united the community; and

Whereas, The community of Chatham was on hand in Normal to cheer on the victorious Redskins; and

Whereas, The -- Chatham Glenwood became the second team - the second team - from downstate Illinois to ever win the 4A Championship and, doing so, they defied the odds made by the Chicago media, which had predicted a McNamara victory - I love that part; and

Whereas, The Redskins' victory therefore will go down as one of the most memorable championship games in the history of high school football; and

Whereas, No one who saw it will ever forget the huge convoy of jubilant fans who led the team back to Chatham from Normal along I-55; and

Whereas, It will be a long time before anyone in Chatham forgets the remarkable accomplishments of the 1998 Redskins football team; therefore, be it

Resolved, that we, the Members of the Senate, are proud and honored to congratulate the Chatham Glenwood Redskins for its tremendous victory in claiming the IHSA 4A State Football Championship; and further be it

Resolved, That we present you a copy of this proclamation.

Congratulations on a job well done.

SENATOR BOMKE:

Thank you, gentlemen. One last time, another warm welcome as they leave. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh, for what purpose do you rise?

SENATOR L. WALSH:

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Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR L. WALSH:

Thank you, Madam President. Members of the Senate, I have a guest today that is here in Springfield witnessing how government works. I would like to introduce, on our side of the aisle, the Superintendent of St. Anne High School, Mr. Jerry Newell.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR DEMUZIO:

Well, tomorrow is another significant day in the life of one of our Members. He turns forty-four. Senator Bill O'Daniel's having a birthday tomorrow.

PRESIDING OFFICER: (SENATOR DONAHUE)

Happy birthday, Senator O'Daniel. Messages from the House.

SECRETARY HARRY:

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 74.

Adopted by the House, December 2nd, 1998.

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

Mr. President - I am directed to inform the Senate that

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the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1598, together with the following Amendments, which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendments 1, 2, 4 and 5 to Senate Bill 1598.

Passed the House, as amended, December 2nd, 1998.

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 525, which amendment is as follows:

Senate Amendment 1 to House Bill 525.

Nonconcurrent in by the House, December 2nd, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson moves that the Senate refuse to recede from an adoption of the Senate Amendment -- Amendment No. 1 to Senate Bill -- House Bill 525 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries, and the Secretary shall so inform the House.

SECRETARY HARRY:

We have a like Message on House Bill 646, with Senate Amendment No. 1.

Nonconcurrent in by the House, December 2nd, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 646 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House.

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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 refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 299.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

Action taken by the House, December 3rd, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. For the information of the Body, we are going to page 2, House Bills 2nd Reading. It would be Senator Radogno, Senator Burzynski, and Senator Burzynski. Senator Radogno, on House Bill 448, do you wish to have this bill read? Yes. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 448.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments. {sic} (Committee on Education adopted Committee Amendments 2, 3 and 4)

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Burzynski? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2805.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1...

House Bill 2688.

(Secretary reads title of bill)



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2nd Reading of the bill. The Committee on Licensed Activities adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

...there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Burzynski, on House Bill 2805? Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 2805.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1 {sic} (1 and 2).

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Karpziel, for what purpose do you rise?

SENATOR KARPIEL:

Thank you, Madam President. I'd like to announce a Republican Caucus right after this order of business, in Senator Philip's Office. It'll take about fifteen minutes. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Be a Senate Republican Caucus in Senator Philip's Office. Senator O'Daniel, for what purpose do you seek recognition?

SENATOR O'DANIEL:

Madam President, for purpose of an announcement. There'll be a Democrat Caucus in Senator Jones' Office immediately.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Jones' Office for the Senate Democrats for caucus.  
The Senate will stand at ease until the call of the Chair.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. WCIA-Channel 3 and WAND-TV have made requests to tape -- videotape the proceedings. Is leave granted? Leave is granted. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR BOMKE:

Would like to introduce to you the Carl Sandburg fourth-grade class, with Sandi Carlson as teacher, in the back of the Democrat -- behind the Democrats. If you all will join me in welcoming...

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you rise and be recognized by the Illinois Senate?  
Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Re-referred from the Executive Appointments Committee to the Rules Committee - Messages from the Governor dated November 5th, 1998, and November 19th, 1998; referred to the Committee on Insurance and Pensions - Conference Committee Report 1 to Senate Bill 417,

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Senate Amendments 1 and 2 to Senate Bill 1921; Be Approved for Consideration - Conference Committee Report No. 1 to House Bill 470 and House Bill 3256; and Be Approved for Consideration Without Recommendation - Messages from the Governor dated November 5th, 1998, and November 19th, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages.

SECRETARY HARRY:

Message from the Minority Leader, dated December 3rd, 1998.

Dear Mr. Secretary - Please be advised that I have made the following appointments: Senator Kimberly Lightford to the Environment and Energy Committee and Senator William Shaw as Spokesperson of the Environment and Energy Committee. These appointments are effective immediately.

Signed by Senator Jones.

PRESIDENT PHILIP:

May I have your attention please? And, Mr. Secretary, please read the Certificate.

SECRETARY HARRY:

(Secretary reads Certificate No. 90-2729)

PRESIDENT PHILIP:

Thank you, Mr. Secretary. We've all known Ray Serati, believe it or not, for thirty-three years. That's even -- he's been here longer than Stan Weaver and myself, believe it or not. And -- and quite frankly, I've known to like him, respect him. He's one of the most accurate reporters that I've ever seen in the history of the General Assembly. And he's one of the few reporters, in my judgment, has his head screwed on right. And generally speaking, when I read his columns, I came up -- come up thinking I agree with him and what he has said is pretty accurate. I wish I could say that about the rest of the media. You would think they might learn by his great example. But, anyway, with -- up here with Ray

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today is his wife, Margaret, his two daughters, Jennifer and Carrie. We're very, very happy to have them. And as you're probably -- probably aware, we have circulated this and I think almost all the Members have signed this, a little momentum {sic} (memento) of our respect and our friendship for him for suffering with us for these thirty-three years. This may be his only opportunity.

MR. RAY SERATI:

(Remarks by Mr. Ray Serati)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson, for what purpose do you rise?

SENATOR HAWKINSON:

For purposes of an announcement, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your announcement.

SENATOR HAWKINSON:

If I could have the -- the attention of the -- the Body for a minute. We are losing, at the end of this month, our Republican staffer on the Judiciary Committee, Matt Jones, who's going on to bigger and better things, and hopefully we're going to see him around here. But those of you who have served on the Judiciary Committee on both sides of the aisle know how invaluable Matt has been to all of our efforts over the past several years. I know that we couldn't have achieved the Juvenile Justice Reform and many of the other efforts that we've had were it not for his tireless efforts. I know that he's well respected by staff and Members on the Democratic side of the aisle, as well as on our side. Matt, we're going to miss you. We wish you the very best. We know this is a good move for you, but we're sure as heck going to miss you here in Springfield, and -- and our best wishes and Godspeed.

PRESIDING OFFICER: (SENATOR DONAHUE)

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...I could have the Membership's attention. We are -- we have a -- a number of things that we still have yet to do, to be completed before we're on our way home. Some of them are -- we still have some serious business to take care of. So let's be in our seats. Give the attention to the Body for a little bit longer and then we can begin our farewells. We will now proceed to Executive Session for the purpose of advice and consent. Senator Petka.

SENATOR PETKA:

Thank you, Madam President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of November 5th, 1998, and November 19th, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

You've heard the motion. All in favor, say Aye. Opposed, Nay. The motion carries and we are convened in Executive Session. Mr. -- Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chairman of the Committee on Rules, reports the Governor's Messages of November 5th, 1998, and November 19, 1998, Be Approved for Consideration Without Recommendation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Madam President, with leave of the Body, I would request that the Governor's Messages of November 5th, 1998 and November 19th, 1998, be acted upon in one roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

...is granted. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Thank you, Madam President. While I agree with my esteemed colleague that the incoming Governor, Governor Ryan, should have

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the right to name his own appointments, I respectfully move, and the four Senators joining me - Senator Cullerton, Senator DeLeo, Senator Carroll, Senator Molaro - that we divide the question as it pertains to Dan Fabrizio, who's -- for a salaried position on the Civil Service Commission, and the rest of them we can take in the one roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon, your request will be honored. Senator Petka.

SENATOR PETKA:

Thank you, Madam President and Members of the Senate. Article V, Section 9 of the Illinois Constitution gives the Governor the right to nominate and, with the advice and consent of the Senate, the right to appoint individuals to positions in State government. I think that it is important to note, as a matter of constitutional history, that the power to appoint is a jointly -- power to appoint is a jointly exercised power. The Senate cannot nominate and the Governor cannot and should not appoint individuals without the advice and consent of the Senate. Thus, we have a constitutional right and a constitutional duty to help mold and structure government with -- with the Governor of this State. This is all part of a system of checks and balances which mirrors the process followed -- in which we follow the federal government and the federal Constitution. In about six weeks, we are going to have a new Executive -- Chief Executive, George Ryan, who we believe should have the opportunity to shape State government with his choices for various positions in State government. It is with that in mind that we should use our constitutional power by not appointing and not advising and consenting in the nominations that have been made by the current Governor, in order for the Governor-elect Ryan to be afforded an opportunity to work with us in a partnership in molding and -- and structuring State government. Our action would not be a

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reflection on any of the qualifications, nor character, nor fitness to serve, of any nominees on the list of November 5th and November 19th. Again, it would merely reflect our desire to offer an opportunity to the incoming Governor to work with us in partnership, as the Constitution envisions, in structuring a government as we go to the -- to the new millennium. And so, with that in mind, Madam President, I would like to read the two Messages on salaried and unsalaried appointments that we are to consider. ...connection with the Message of November 5th, 1998:

Civil Service Commission, Dan P. Fabrizio, of Chicago.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, does the Senate advise and consent to the nominations -- nomination just made. Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I'll be very brief. Dan Fabrizio is an excellent individual. And I agree with Senator Petka that the rest of -- of these appointees are probably also fine people. But I gave my word to Mr. Fabrizio, and I believe that if -- if your word isn't anything in this Body, then you're -- you're worthless in this Body. So I'd ask for an Aye vote to accept the appointment and recommendation of Dan Fabrizio to the Civil Service Commission.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Madam President. I -- I also spoke recently with Mr. Fabrizio, who is my constituent and a very close, personal friend of mine. Although he is honored to be named, he understands the process that we are undertaking and he is fully aware and understands the reasons we are going to vote as we shall vote this morning.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 5 Ayes, no Nays, 52 voting Present. A majority of Senators elected failing to concur by record vote, the Senate fails to advise and consent to the nomination just made. Senator Petka.

SENATOR PETKA:

To the Illinois Committee for Agricultural Education for a term ending March 13th, 1999, Parker Bane; for a term ending March 13, 2001, Theodore Mottaz and Thomas Reedy.

To the State Board -- Banking Board of Illinois, to be members of that Board in terms ending December 31st, 2001, Thomas Bugielski, Dennis Long and Lee J. Plummer.

To be members of the State Banking Board for terms ending December 31st, 2002, Craig Burkhardt, Gary Edwards.

Illinois Building Commission for term ending August 21st, 2000, Robert Cusick; for terms ending June 19, 2001, David Dailey, Dennis Larson.

Central Midwest Interstate Low-Level Radioactive Waste Commission for a term ending January 18th, Michael Rapps.

Illinois Coal Development Board for a term ending July 1st, 1999, Richard W. Eimer; to be a member of that Board for a term ending July 1st, 2001, Douglas Downing.

Illinois College Community {sic} (Community College) Board for a term ending June 30th, 1999, Edward Duffy.

For the Illinois -- to be a member of the Illinois Economic Development Board for a term ending November 1st, 2000, Michael Alter.



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To be a member of the State Board of Education for a term ending January 13th, 1999, Dorothy O'Neill.

To be a member of the Illinois Electronic Data Processing Advisory Committee for a term ending December 31st, 2002, Donald Schlorff.

To be a member of the Illinois Fiduciary Advisory Committee for a term ending January 1st, 2003, Richard Sommer.

To be a member of the Illinois Development Finance Authority for terms ending January 18th, 1999, John E. Koliopoulos, Terrence O'Brien; for terms ending January 15, 2001, George Beck.

Members of the Guardianship and Advocacy Commission for terms ending June 30, 2001, Christopher DeAngelis, Joseph Lassner, Aaron Schmidt.

Be a member of the Havana Regional Port District Board, term ending June 30th, 1999, Murray K. Johnson; to be a member of that board for a term ending June 30th, 2001, Scott Williams.

To be a member of the Illinois Health Care Cost Containment Council September -- for a term ending September 5th, 1999, Kristine Coryell.

To be a member of the Illinois Health Facilities Authority for a term ending June 30, 2001, F. Amirparviz.

To be a member of the Illinois Health Facilities Authority for a term ending June 30, 2005, James Hamilton.

To be a member of the Health Facilities Planning Board for a term ending June 30, 2000, Antoin Rezko; to be a member of that board for a term ending June 30, 2001, Fred Benjamin.

To be a member of the State Board of Health for a term ending November 1st, 2000, Joseph Orthoefer, Karen Phelan, Donald Ross, Karen Scott, Howard Stone.

To be a member of the Illinois Human Resource Investment Council for a term ending July 1st, 2000, Mary Frances Squires.

To be members of the Illinois Comprehensive Health Insurance

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Plan Board for terms ending July 1st, 2001, James Meyer, Jay Naftzger.

To be members of the Kaskaskia Regional Port District Board for terms ending June 30, 2001, Terryl Liefer, Leo Pautler.

To be members of the Advisory Board to the Department of Labor for terms ending January 18, 1999, Eugene Aguirre, Colleen McShane.

To be members of Labor-Management Cooperation Committee for terms ending July 1st, 2000, Bruce Alkire, David Butts, Camille Krecioch.

To be members of the Low-Level Radioactive Waste Task Group for terms ending upon notification of the site, Dale Boyce of Chicago, Joseph Craig.

To be a member of the Illinois State Medical Disciplinary Board for a term ending January 11, 2002, Georgia -- Georgia Lubben.

To be a member of the Illinois Medical Licensing Board for a term ending January 8, 2000, Robert Vanecko; to be members of that board for terms ending January 8, 2002, Dennis Reter, Richard Schmidt.

To be members of the Meigs Users Advisory Committee for a term ending June 8, 2000, Linda Schumm.

To be members of the -- of that committee for terms ending June 8, 2001, Thomas Myers, Steven Whitney.

To be members of the Surface Mining Advisory Council for terms ending August 10, 2001, Lloyd Anderson, Robert Dunker, Parthenia French, Kirwan Heisner, Norlyn Kingsten, Jack Nawrot, Gary Raines.

To be members of the Mt. Carmel Regional Port District Board for terms ending June 30, 2000, Charles Boss, Robert Cunningham, Tim Raibley.

To be members of the Advisory Board on Necropsy Services to Coroners for terms ending January 15, 2001, Edmund Donoghue,

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Ronald Kowalski.

To be members of the Board of Trustees, Northern Illinois University for a term ending January 18, 1999, Gary Skoien.

To be a member of the Illinois State Police Merit Board for a term ending March 19, 2001, Betsy Mitchell.

To be Public Administrator and Public Guardian of the following: Of Calhoun County, December 3rd, 2001, Rose Stumph; of Champaign County to December 3rd, 2001, Jeffrey Davis; Clay County, Robert G. Coble; Hancock County, Rodney Clark; Lee County, Julie Farster; McHenry County, Albert Adams; and White County, John Stanley - all with terms of December 3rd, 2001.

To be members of the Quad Cities Regional Economic Development Authority, Jason Francque.

To be a member of the Quality Care Board for a term ending September 18, 2002, Thomas Yokley.

To be members of Rehabilitation Service(s) Advisory Council for a term ending July 1st, 2000, Brian Johnson.

To be a member of the Rehabilitation Service(s) Advisory Council for a term ending July 1st, 2001, James Jenkins.

To be a member of the Southwestern Illinois Development Authority for a term ending January 15, 2001, John Fruit.

To be members of Advisory Council on Spinal (Cord) and Head Injuries for indefinite terms, Sheryl Campbell, Preston Harley.

To be members of the Spinal Cord Advisory Council for terms ending June 30, 2001, Donna Johnson {sic} (Anderson), Ruth Brown, Mercedes Rauen, Susan Scherl, April Smith McIntosh, Leslee Stein-Spencer, Lyle VanDeventer.

To be a member of the Illinois Sports Facilities Authority for a term ending June 30, 2001, Mark Boozell.

To be a member of the Waukegan Port District Board for a term ending May 31st, 1999, George {sic} (Gregory) Miholic.

To be members of the Workers Compensation Advisory Board for

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terms ending January 19, 2002, Gerald Cooper of Naperville, Terrence Lynch.

Madam President, in connection with the Message of November 19th, 1998:

The Illinois Educational Labor Relations Board for a term ending May 1st, 2002, Joan Walters.

To be a member of the Illinois Industrial Commission for a term ending January 15, 2001, Reg Weaver.

To be a member of the Illinois Farm Development Authority Board for a term ending January 17, 2000, William Richardson; to be members of that authority board for a term ending January 21st, 2002, Leonard Gardner, Chester Lawrence.

To be members of the Illinois Development Finance Authority for a term ending January 15, 2001, Robert Mariano.

To be a member of the Health Facilities Planning Board for a term ending June 30th, 1999, William Kessler.

To be a member of the Illinois Gaming Board for a term ending July 1st, 2000, Joe Tecson.

To be a member of the Illinois Housing Development Authority for a term ending January 8, 2001, Douglas Altenberger.

To be a member of the Lottery Control Board for a term ending July 1st, 1999, Christopher Gardner.

To be a member of the Board of Trustees of Northeastern Illinois University for a term ending January 18, 1999, Niranjan Shah.

To be a Public Administrator and Public Guardian of Clark County until December 3rd, 2001, Kathy Tingley.

To be a Public Guardian and Administrator for Jersey County to December 3rd, 2001, Robert Shaw of Jerseyville.

To be members of the Board of Trustees of the University of Illinois for terms ending January 11, 2005, Jeffrey Gindorf, David Gomez, Gayl S. Pyatt.

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To be members of the Illinois Human Resources Investment Council for terms ending July 1st, 2000, Anne Ladky and Rogercarol Rogers.

Now, Madam President, having read the Messages, I now seek leave to consider these appointments on a roll call. And, Madam President, will you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, does the Senate advise and consent to the nominations just made. Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President. I'd like to pose a question, if I might, to Senator Petka.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Petka, we -- we just rejected Dan Fabrizio to the Civil Service Commission. In an instance where a person has been rejected who has been appointed and is currently serving, what happens to the -- is there -- is there a declared vacancy? Is there any action that can be taken? Do members serve until their successors are sworn, in all instances? Or, what -- what happens?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Senator, I'm aware of -- aware of two authority -- two separate sets of authority that deal with the question that you have posed. One comes from an Attorney General's opinion which was rendered in the 1970s during the Walker administration. The -- the Constitution requires that individuals serve with the advise and consent of the Senate except in situations where temporary appointments are made. When temporary appointments are

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made, they may serve until such time as the Senate acts upon that temporary appointment. In the event that the Senate refuses to advise and consent and -- and concur in the nomination, then the position is -- is not filled. That person is ineligible for further consideration by the -- for nomination from the Governor, except if the Senate requests that the nominee, basically by way of reconsideration, be reconfirmed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

With respect to the Message of -- from the Governor of November the 5th and the Message of November the 19th, has the Executive Appointments Committee had a hearing with respect to either one of these Messages?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, what we are about to take up in the order of business that we are on, in the twenty-four years that I have been here, is absolutely unprecedented. I can't recall another instance, nor can the staff, where appointees of the Governor or, for that matter, any Constitutional Officer bypassed the Committee of the Senate on Executive Appointments. This is an unprecedented action that we are taking here today. It seems to me that we would be uncomfortable in voting for any of these nominees without the scrutiny, at least, of a Senate committee and a Senate committee hearing, particularly of those individuals who are salaried. So, I wanted just to point out this morning that I don't know most of

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these people who are on there. Members of the Committee on my side of the aisle who -- have indicated to me that they don't know who they are, and they serve on the Committee. I feel very, very uncomfortable in voting for any of the members that have been named in the Message either of the 5th of November or the 19th of -- of November. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there further discussion? Seeing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are no Ayes, no Nays, 57 voting Present. A majority of Senators elected failing to concur by record vote, the Senate fails to advise and consent to the nominations just made. Senator Petka.

SENATOR PETKA:

Thank you, Madam President. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

You've heard the motion. Those in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries. ...will now proceed to page 5 of the regular Calendar. If I could have your attention. We're on page 5 of the Calendar, Conference Committee Reports, Senate Bill 859. Mr. Secretary, do you have on file a conference committee report on Senate Bill 859?

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 859.

PRESIDING OFFICER: (SENATOR DONAHUE)

The Chair recognizes Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. Basically this legislation is follow-up legislation to the Advanced Practice Nurse Act that we passed, as well as the Physician's Assistant Act and the Controlled Substances Act -- pertaining to delegated prescriptive authority. I'd be more than happy to answer any questions Members might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing... Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. Is there any language or provisions in this bill that would allow a physician assistant or advanced practice nurse to open or operate a pharmacy?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

For purposes of legislative intent, let me state into the record that under the provisions of Senate Bill 859, there's no intent that either physician assistants or advanced practice nurses would have the authority to operate independent pharmacies. This proposed language is intended to reflect current practice and be consistent with good faith as defined under Section 102 of the Illinois Controlled Substance Act. All proposed language was developed in conjunction with the federal Drug Enforcement Agency and reflects federal regulations.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 859. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference



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Committee Report on Senate Bill 859. And the bill, having received the required -- three-fifths majority, is declared passed. Senator Carroll, for what purpose do you seek recognition?

SENATOR CARROLL:

...for years. There we go. Just a point of inquiry to you and to the Clerk -- or, Secretary of the Senate, excuse me. It looked as if all but the late Senator Butler had -- had voted on this and the prior bill and, yet, the count showed fifty-seven. We've been accused sometimes of voting people who may not have been around, but never having less votes than the people who were there. Oh! Okay. I'm sorry. I'm sorry. I -- I... Okay.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Ladies and Gentlemen, on your -- on your desk is Supplemental Calendar No. 1. Senate Bills 2nd Reading, Senate Bill 1921. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1921.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

Now we'll be going to Supplemental Calendar No. 2. Mr. Secretary, do you have on file a conference committee report on House Bill 470?

SECRETARY HARRY:

First Conference Committee Report on House Bill 470.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, on Conference Committee Report, 470.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. In our rush to -- to conclude a

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very busy Session, where much got done this -- where much got done this spring, we -- we overlooked our opportunity to extend the repeal date of the Illinois Forestry Development Council for ten years. It's an advisory council that both DNR...

PRESIDING OFFICER: (SENATOR DONAHUE)

Excuse me, Senator Rauschenberger. You all know that this is the time that we have some very difficult kinds of technical business, so just keep your voices down and take your conferences off the Floor. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This -- this conference committee report simply extends the repeal date of the Illinois Forestry Development Council for ten additional years, from December 31st, 1998, to December 31st, 2008. I would request favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate adopt the Conference Committee Report on House Bill 470. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 470. And the bill, having received the required three-fifths majority vote, is declared passed. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments of a bill of the following title, to wit:

House Bill 887, with Senate Amendments 1 and 2.

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I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of Amendment No. 3.

Action taken by the House, December 3rd, 1998.

PRESIDING OFFICER: (SENATOR DONAHUE)

We'll now proceed to the Order of Resolutions Consent Calendar. With the leave of the Body, all of those that have been read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any of these resolutions on the Consent Calendar?

SECRETARY HARRY:

No objections filed, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. Motion carries and the resolutions are adopted. Senator Demuzio moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 81. Those in favor will say Aye. Oh! Sorry. Resolutions.

SECRETARY HARRY:

Resolved, by the -- Senate Joint Resolution 81, offered by Senator Weaver.

(Secretary reads SJR No. 81)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 81. Those in favor will say Aye. Opposed, Nay. And the Ayes have it. The rules are suspended. Senator Weaver has moved the adoption of Senate Joint -- Resolution 81. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Just because we have done the resolution,

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adjournment resolution, we have not concluded our business. So...  
Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

I was wondering, Madam Chairman, if you -- Madam President, if you could summon up all your powers and tell us what's left that we might have to do here to take action upon.

PRESIDING OFFICER: (SENATOR DONAHUE)

I will do that, sir.

SENATOR DEMUZIO:

Sometime in my lifetime, Madam President, or...

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution 278, offered by Senator Jones, President Philip, and all Members.

(Secretary reads SR No. 278)

PRESIDING OFFICER: (SENATOR DONAHUE)

There any discussion? Senator Jones.

SENATOR E. JONES:

Thank you, Madam President. You know, serving in the Illinois Senate - it's a very unique place - you have an opportunity to meet people from all walks of life. And when you meet them, they become part of your family; you become very close. And this is what I have to say about our colleague, Senator Kevin Kehoe, who is leaving us. During his brief tenure here, I've -- I -- I got to know him as a warm, hardworking individual who replaced the late Penny Severns and tried to carry out the will of the people of the district to which he was appointed. He did a tremendous job, and like all of us, at one time or another, will be leaving this Chamber. So, Kevin, we wish you well. I know it's not the end of your political career, but we look forward to great things from you, because you have demonstrated that on the Senate Floor

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here - your ability to grasp the issues, your ability to articulate them on behalf of the people of your district, as well as the people of the State of Illinois. So we wish you Godspeed. God bless you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Seeing none, Senator Philip moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 278. Those in favor, say Aye. Opposed, Nay. And the Ayes have it. The rules are suspended. Senator Molaro.

SENATOR MOLARO:

Point of information. After this resolution we just passed, is he allowed still to stay in the Chamber and vote? Or...

PRESIDING OFFICER: (SENATOR DONAHUE)

Yes, sir. Senator Philip has moved for the adoption of Senate Resolution 278. Those in favor will say Aye. Opposed, Nay. And the Ayes have it, and the resolution is adopted. Resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 276 {sic} (280), offered by Senator Jones, President Philip, and all Members.

(Secretary reads SR No. 280)

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Jones.

SENATOR E. JONES:

Yeah. Thank you, Madam President. Again, we are losing a tradition here in the Illinois Senate. I recall when Senator Garcia first came here and he began to articulate the issues that impacted on the people he represented. This great university that we serve is one where we learn from each other. I learned a lot about his constituency; I'm quite certain many of you did. And many laws that we pass do impact on the people he represents, as

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well as all the people of the State of Illinois. We are better off because he was here to inform us as to the things that need to be done. Jesus, you were a great leader. I know you have served your district well. But you are a young man, like myself, and I know that there are many great things ahead of you. You have so much to offer. By being a member of this family, it always hurts when one has to leave us. So we wish you well, Godspeed, and do the best, as you've always done. God bless you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I, too, regret the departure of Senator Garcia. Not only is he a talented gentleman and a real gentleman, but also a wonderful baseball player, and our team's going to miss him.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you. Senator Geo-Karis just said what I wanted to say. Wanted to remind Frank that we're definitely going to miss Chuy. Right? I think Frank is concerned about next year. But I -- I do want to let everyone know that Chuy will be around, and I think you're probably going to hear more about Chuy after he leaves here, because he's got big plans. And we, back in the neighborhoods, want him to have big plans and to carry out those plans and will work with him to carry out those plans. So for anyone who's thinking that Chuy is -- has one foot out of the political arena, let me tell you, nothing could be further from the truth. He will be back, and it will be very soon. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

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Thank you, Madam President. It stated in the resolution that he was the first Mexican-American to be -- be elected to the Senate. Most of us don't know what that means, 'cause we had predecessors before us. But with that great honor and distinction, which he'll have the rest of his life and it'll be here forever when they talk about it and as -- more as he paved the way for more Mexican-Americans to get here, with that comes responsibility, and he never shirked from it. He's one of few people that always remembers you don't forget where you came from. And he championed the cause of minorities, Mexican-Americans, and the labor movement, which is where his roots are. He never forgot that. He didn't forget it as a committeeman and alderman, and he certainly didn't forget it when he came here. But the thing I'll miss the most is his great smile and his great laugh. And he laughed at everything I ever told him, and we are going to miss that. Thank you, Chuy.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. As you know, I served on the City Council with Chuy and we came down here together. In fact, I'm trying to get him to return to the City Council with me right now, because I have my aspirations, and hopefully we can... My only request is that we not allow anybody to get up and lie when I leave here, like they're lying with Chuy now, like they loved him so much. But I most certainly are going to miss you, Chuy. I'll still drink a little tequila with you back in Chicago, but I'm not going to miss drinking tequila with you down here. Godspeed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Garcia.

SENATOR GARCIA:

Thank you, Madam President. I rise in self-defense here. I

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won't be as modest as Senator Kehoe. After all, I have been here for six years, so you've got to hear me out, although I do see that the hour is late and stomachs are groaning. I rise to -- I was going to offer an amendment to this resolution, after talking to Senator Syverson, that Members that leave this Body can continue to stay on the softball team for a period of twenty-four months. But there may still be time to do that, you have to hear the rest of my speech. Honestly, I want to, first of all, let you know that from the moment that I arrived in this Body, in this Chamber, I considered it an honor. This is an Honorable Body and I will always attempt to conduct myself accordingly as a Senator, that I have been in the Illinois Senate. Secondly, I want to thank the people of the 1st District for giving me this great privilege and honor. It is the most important in my life. I want to thank each and every one of my colleagues for making this the great experience that it has been. I especially want to thank my leader, Leader Jones; my mentor, the guy that taught me all the things that you need to know when you get here immediately upon arrival, and that's Miguel del Valle, my leader in the Illinois Senate. Thank you for being there. I also today must recall the memory of the late Senator Marty Butler, because he was a true gentleman, one of the kindest people that I met in this Body, and I salute what kindness and generosity is all about as we remember him. I want to thank former Senator, Treasurer Judy Baar Topinka, for all of her support when she chaired the Committee on Public Health and Welfare. I want to thank Senator Lauzen. Some people think that, you know, he's to the right of everything and some people think that I'm to the left of everything. I want you to know that we learned a lot from each other. We've become good friends, and I want that acquaintance to continue after I get done leaving this Body. I want to especially thank my staff over the past six years. It's not that large - you know that - the one



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back in the district. But especially I want to recognize my assistant in Springfield because she helped me represent the people of the 1st District three hundred and sixty-five days a year, Vicki Lopez, who is here on the Floor this afternoon. And, of course, I must thank, on both sides of the aisle, all the committee staffers. I believe that they are probably the most intelligent people in State government and I thank them for sharing their talents with me. I also want to thank the Secretary of the Senate; the Sergeant at Arms; Linda Hawker, of course, we had a special, special relationship. I want to thank the doormen. I want to thank Mary. I want to thank Bobby, who gave us -- you want time for that one? I want to thank all of you. I've omitted names here. It's impossible to name each and every one of those special individuals. I even want to thank Governor Edgar, because during my stay here, he signed ten bills that I was the chief -- chief sponsor on over this period, and I thank him for his understanding and his compassion. I want to thank the Legislative Reference Bureau, LRU, LPU, all of those folks that have those great acronyms. I also want to thank each and every one of you and the House for being fair to immigrants, not as fair as I would have wanted it, but fairer than most states in the country. Illinois has a good name. Governor Edgar has helped; you have helped. And it's important, because you have done the right things. I ask you to continue to do the right things by immigrants. Please keep education funding on your radar screen. It's important for the future of Illinois. We took some important steps in that direction. It will still continue to be an important issue. I came here, as you recall, with a bang, or should I say a band, a mariachi band, and we had a ball while we were here. I want to note that when I arrived, at the risk of being presumptuous this morning - this afternoon, it's -- the hour's after twelve now - that when I arrived here, we started

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winning. Right, Carl? Right, Frank? And I won't mind if that is repeated each and every time after a softball game in May, at the annual showdown with the House of Representatives. So all I can say: It's been a ball y'all! - to paraphrase Rickey Hendon. I want to thank each and every one of you for making my stay in Springfield a most rewarding and enjoyable one. Muchisimas gracias!

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator. Senator Demuzio.

SENATOR DEMUZIO:

Just one comment. Chuy, I know you're very disturbed about leaving, and the most important thing, I guess, I understand that you're disturbed about is making sure that we're competitive with the House in the softball game. I just want to let you know that I've taken your advice and decided to lose a little weight and work out. I got my bat. I'm going to be up for you next year. Thanks.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Is there further discussion? Seeing none, Senator Jones has moved to suspend the rules for the purpose and the immediate consideration and adoption of Senate Resolution 280. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Jones has moved for the adoption of Senate Resolution 280. Those in favor will say -- say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 277, offered by Senator Jones, President Philip, and all Members.

(Secretary reads SR No. 277)

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Jones.

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SENATOR E. JONES:

Yeah. Thank you, Madam -- Madam President. You know, when I served in the House, during my earlier days, Geo, and I would send things over to the Senate, and they would tell me you have to go talk to Howie Carroll. We were doing budgetary items and so forth. I knew he was a Senator, but I didn't realize how much knowledge and depth he had as it related to the appropriations. We're losing today, I believe, a person that know more about the operations of State government and appropriations than we've had in quite some time. Howie, you've done a tremendous job. I enjoyed the days and I'll miss those days when we would travel to NCSL. Your daughters and my little sons - they all became buddies in -- in day care. And you look up one day, all of a sudden, and they are grown and they've moved on. They mention in the resolution that he is a ward healer. If you don't know what a ward healer is, just look at the votes on election day - the one who brings out the big Democratic vote. I'm quite certain you're going to stay in that capacity. But in this Body, we've have -- we have the opportunity to meet many different people. I recall when I made a trip to Israel and I talked to my friend Howie first. I said: What should I say? So he gave me some words to use in Israel. Only did -- only did I realize later on that what he told me to use, I couldn't use those words. He gave me some Yiddish and they were speaking Hebrew. That's right. But, Howie, we're going to miss you. We're going to miss your wit. We're going to miss your talent. We're going to miss your ability to articulate the issue, especially in the area of health care, which you have always been in the forefront on. We wish you well in all your endeavors. Keep up the good work. God bless you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Philip.

SENATOR PHILIP:

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Thank you, Madam President and Ladies and Gentlemen of the Senate. Believe it or not, if I my memory is correct, I was a sophomore in the House when, I think, Representative Carroll joined that Body. So I have known him longer than most of the people in this General Assembly. He probably knows as much about appropriations and State government as anybody we've had on either side of the aisle. Always had a great input. Always had expertise. And very honestly, if you needed something, Howie would always sit down and try to work it out. You and I have been around a long time. I watched him last night on TV, and, Howard, you did quite well talking about the old days when we didn't have any staff. When we -- when we first came down here -- when I first came down here, we had one Session every two years. We had one secretary for four House Members. On the fourth floor, we had a little cubicle, and if you wanted to see your secretary, you would call her and she would meet you up in the cubicle. If you were lucky, you got an open cubicle. We had fifty dollars a year for postage and stationery. It was a lot of different ball games. We had no staff at all. You talk about staff, maybe the Speaker had three or four, maybe five, on his staff, but the Members had absolutely nothing other than Legislative Council and Reference Bureau. But, boy, has it changed. I think it's improved. Howie has certainly had his imprint on improving the system. And if you would look at us and compare us with other General Assemblies in the United States, if you pay any attention at all, you will understand what's in that bill, what the synopsis is, how the people in that committee have voted on that bill. I think we have one of the greatest legislative bodies in the -- in the United States. We're very thorough, hardworking, well organized, and, Howie, you certainly had a lot of input on that. We're going to miss you. You're probably going to make a hell of a lot more money. And your family -- you know what? We -- we've had you for

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these twenty-eight years. We're going to give you back to your wife and family. A little battered, a little weary, but you're still able to operate pretty well. You will be very successful, in my judgment. And you know what? We're all only one telephone call away. If I can ever help, Howard, I will be there. Good luck.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I wanted to expand a little bit on what our Senate President referred to. And I'm in total agreement with his remarks and I think each one of us, as we've traveled to other states or talked to our own grammar school or high school students, or college students, have tried to expand upon what President Philip has talked about, about being a great legislative Body, because we try to do our homework, we try to understand what the legislation is about, and we're responsive to our constituents. Howie is the great example of that. We talk about a ward committeeman; we talk about a State Senator. But for twenty-eight years, either two hundred thousand people or one hundred thousand people that represented his constituents went to the voting booth and punched that button to reelect Howie Carroll because they knew he spoke eloquently and efficiently for them. We don't need term limits when you look at the experience and the knowledge that a Senator like Howie Carroll has. Timing is everything. We always say that, but here's one of the best examples of it. If Sid Yates had decided to retire two years ago, Howie could have run for Congress. If he hadn't won in that primary, he'd still be here and would be -- continue to be elected by his constituents. But Sidney decided this year, Howie ran - it was a very tough race - and he got beat. And because of that, not because of anything he did or failed to do as a Senator, he has to

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terminate his service. I'll miss his pipes. I'll miss his cigars. I'll miss his counsel. He has been a great friend, as all of you have been. And I think that Senator Jones' and Senator Philip's comments point out how lucky we are in this Body, because even when we disagree, hopefully we are not disagreeable. We value each of our friendships and, Howie, for your future, on behalf of fifty-eight other friends, we wish you well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President. Let me be brief. I guess there are a few, Pate - you, myself, Weaver, Berman, I guess - who have known Howie and has served Howie -- with Howie as long as anybody, I guess, in this Chamber. My wife, however, knows you longer than I do, Howie, because she was a secretary back in those days upstairs, when the Senators made six thousand dollars a -- a year, fifty dollars for expenses, we had the rail here, and they had the spittoons, if you remember correctly, in those days. And I, too, want to say that it's been phenomenal having the opportunity to see your children to grow and to -- to go on, and it just -- just lets time fly through your mind as to what is -- what is really happening. Time flies so fast. But I want to say thanks, Howie. I came here twenty-four years ago, when you had those cuff links on with the -- the Senate Seal. You finally gave 'em to me yesterday. I had to wait twenty-four years to get 'em. But I want to say thanks to you, but I also probably want to say good luck to you. And I want to invoke the name of Bill Harris. Billy Harris said, "Once a Senator, always a Senator." And remember, Howie, they could never beat you. You're going out a winner in the Illinois Senate, and you'll always be a Senator with us. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Smith.

SENATOR SMITH:

Thank you, Madam President and to my colleagues here in the Senate. I've been very quiet all day long and I could have spoke to my friend over here, Senator -- when he was talking about his stay here. But I have to say something today about Howie. Because whenever I look at Howie, I think about my husband. They were buddies here in the Senate. And as President Philip stated, when they used to have the copper doors and they had fifty dollars for this and all, I used to cry because my husband's money was very thin. But he was favored here in the Senate. And Howie and my husband were great friends. And every time I needed anything during his sickness or after his death, Howie came to the funeral and he's always been with me. If I had troubles here in the Senate, I could always go to Howie and he was compassionate, both his wife... Before he married his wife, she and I used to run around together and the -- Mayor Daley's wife and -- Maggie, all of us. We all used to run around. We called ourselves the "Glamour Girls of the Senate", spending their money. But anyway, those were great days. And I have thanked God for his companionship since he has been here. And I -- it's like I'm losing an arm at his leaving. But I only want to say these words because I remember and I want you to always remember, Omar Khayyam wrote, and I -- quote, that: The moving finger writes; and having written, moves on: nor all thy piety nor wit shall lure (it back) to cancel half a line of it, nor all thy tears blot out a word of it. And what am I saying to you, Howie? That even though you are going, the moving finger, it writes. You move on to go to greater things. But neither all our tears will blot out a word of what you have given to us and all of our tears blot out a word of it. And so I say to you out of the mintage of my heart: God bless you. Thank you for having been in the Senate lo these many years.

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I love you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President and Members of the Senate. And I want to thank, first, Senator Kehoe for yielding to me his time, and -- and Senator Garcia for setting a standard, 'cause for the time he took in his six minutes, I can multiply that by four and a half, almost five, and use that accordingly. But think of the good side: This, most likely, will be the last time you have to sit and listen to me speaking, at least, as a Member of the Senate. And it isn't easy. You know, it's bittersweet to be standing here. Pate is right, and I was thinking about it, and we talked about it last night on Bruce DuMont's show of what it felt like twenty-eight years ago, as a little punk kid, walking across the hall to walk into the Chamber as a Minority Member and serve in the Illinois House and then having the great, great, great ability to cross that corridor, in -- in 1972, '73, and come into this Body twenty-six years ago and serve in the Illinois Senate. And when I thought back of the time when -- you were lucky to dictate on the Floor 'cause we couldn't get to the cubicles, and there was some seniority, even, in getting those, as Pate remembers, and so you'd get one of those secretaries maybe once a month to come down and take a few letters for you, and as Stan remembered, how tough it was in those days to try and really serve your constituents. There were no phones. There were no offices. There was nothing. But there was a comradery. There was the ability of people to work together, as friends. There was what I've always called two things there. Our leader called it a university. I called it the greatest educational experience in the world, and it was a summer camp. It was a place where we went and we were with our friends and we did our thing and we went out



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to dinner, and we had our time together and then we went back home. And, yes, I am leaving here after twenty-eight years of service. Half of my life, literally, I have spent in Springfield. And it was the place where I occasioned all of the circle of life events, all of the life cycle events. As Miss Margaret said, when she was here escorting the late Fred, when I was dating Eda, I was already in the Illinois Senate. So when we got married, I had already been a Member. My two daughters, most of you saw born and saw them around this place, where this became their camp, and -- and you've seen them grow up as well. And everything I've ever experienced was truly down here. And there's been "goods" and there's been things that were less than good, but there's never been anything bad. Every day you learn something. Tuesday night I flew back to Chicago, where the occasion was the 25th Anniversary for my wife and I. We had celebrated over the weekend and I said I would come home that evening and have dinner with her, and we went out and celebrated. And I said now we know one of the good things. Never we'll have the occasion to even consider missing an anniversary again, 'cause we won't have to be here. And -- and I'll be able to enjoy more. My kids have asked me to finally be home. Each and every one of you sacrifice so much of your family's well-being to serve the collective will of the people. Each and every one of us have given up more than I think the public ever knows in time away. Even though we say we're there, and we are, we're there for the ball games and we're there for the graduations, but, you know, you get to spring here and three days a week you're not there. Three days a week you're here. And your spouse is now having all the problems, and you're -- you know, you're on the phone, okay, but you're not there. There is a difference. And I don't think that the public really understands how strong a difference that is. I know I've always felt that I was a good father, and I'm sure I was, but even my

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kids said, you know, "Dad, please stay home for a while. We really want to see you a little bit, during the week as well, you know, as just on the weekends." And, you know, the resolution talked about some of the accomplishments I've had here, and they've been wonderful. And, Miss Margaret, I really do appreciate your quotation because it's true of all of us as well. I think back of some of the things that I may have accomplished. I didn't do 'em alone. None of us do 'em alone. They are only accomplished by working together. Vince talked about Bill Harris. And I remember, again, as a freshman, when I came into the House, I passed legislation - Bruce DuMont was talking about it right before the show last night - to create a park in my area, the first State facility in an urban area. Created Warren Park. I was a Minority Member of the Illinois House, sponsored major legislation that truly affected hundreds of thousands of people. The State wasn't operating it well. When I came over to the Senate, under Bill Harris' presidency, I was able to pass legislation to turn it over to Chicago Park District, where it still is today. And again, we have a hundred acres of open space that would have otherwise been canyons of high-rises, to allow people all kinds of activities. That can only happen when you can work with your colleagues and make life a little better. You talked about a lot of the other bills that I've been able to sponsor, and I think of some of the others: As Stan knows, when we did the Beckman Institute and what that meant for the University of Illinois; when we did things like -- you know, one of the things nearest and dearest to my heart that we were talking about - Senator Sieben and I - a few minutes ago, Misericordia and getting them funding so that they can continue to serve four hundred and fifty kids who are severely and profoundly handicapped and retarded. These are things that mean more than some of the biggest Acts we've ever done. When I -- I had one experience that

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I want to share with you because it -- it kind of brought everything home to me when -- when Art talked about the primary and -- and the run for that office. And -- and, Pate, Art's probably the only one here who knows me longer than you and -- and Stan, in that I actually started kindergarten with his brother and his house was one of the places where we hung out when we were kids. We'd walk over there for lunch when we were five/six years old. And then when we got to be about fifteen or sixteen, we would "borrow" his car when he didn't know about it, when he wasn't home, 'cause Art was significantly older than us. But one of the pieces of legislation that we talked about was -- and Eddie is on there -- Senator Madigan is on there also -- Bob, excuse me, and that was the Comprehensive Health Insurance Plan. When I was out campaigning and handing out the brochure, and I was at a El stop on a bitter cold day - I'll remember it forever - on Sheridan Road in Irving Park, and a guy stops me, he's reading the brochure, and he said, "Did you really sponsor the CHIP plan?" I said, yeah, a constituent had come to me and explained to me how they couldn't get -- they couldn't get their insurance and therefore they couldn't go to work because they had once had cancer, and I'm going on and on and on. And I said: Why? And he said, "Well, let me explain." He said, "You saved my life." He said, "I had a disease a couple years ago where I was uninsured at the time. I was out of work. I went to get a job; I couldn't get a job, because nobody would insure me. I had to have a prescription drug" - a group of 'em, I guess - "that cost a couple thousand dollars a month. So the cost to the employer was so great that they wouldn't employ me. I couldn't afford the medication. Somebody told me about CHIP. I went on the plan and here it is three years later..." He's going to work. He's healthy. In fact, he's about to go off the CHIP plan, and he said, "You really saved my life." And I said, "Look, I don't care

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what happens in this campaign. You just made mine." Because, at least, in our religion, it teaches if you saved one life, you save the world. And that's something that how many people in this State will ever have the opportunity to do? That's the opportunity, Chuy and Kevin and all the rest of us, that our people gave us. They gave us the greatest gift they can: the gift of their confidence; the gift of their vote. But they gave us that opportunity to be part of the solution, instead of part of the problem. You go anywhere and they talk about politics and they talk about government and then they complain and they complain. What do they do though? We are here on that firing line. We may disagree on the solution, but we're here day in and day out trying to help those people and make their lives a little better for tomorrow. This is that institution. As I said before, this has also been, for me, and I think every one of you, a great learning experience. Mr. President and Mr. Leader, I appreciate the comments about the budget. And, yeah, there were some people who may not have been happy during the sixteen years I chaired the committee. And -- and that was the longest in the history of this State. And we did create some procedures that my successors, in Senator Maitland and Senator Rauschenberger, have followed in trying to bring a semblance of order to that process. But you learn because you take the time to study, and we had tremendous staffs who gave us the tools with which to work. Anybody can do it if they'll take the time to learn. And I always have said during every campaign - this is that university that Emil talks about, this is that learning experience - that if you listen and learn, you'll have experiences you could never have anywhere in your life. And I remember going down to Giant (City) State Park, or down in a coal mine in Sesser, fifteen hundred feet below the ground. Where would this kid from West Rogers Park ever have had the opportunity to do something like that? Going with you, Madam

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President, and as we were talking about yesterday, to the Quincy Veterans' Home to see that historic building and hold some hearings there. Or, with Senator Geo-Karis to Zion State Park when it was opening. And being able to be there with, as Emil says, "our family", the other Members of the Senate with whom we've had the privilege of serving and who have become members of our family, that you feel that close to at any time. So that's what I've gained from it. Hopefully, I've given back something as well. Yes, it's hard to leave because, again, I have learned so much. And hopefully, I'll be in a position to keep on learning, but I'm comfortable that not only, as the President said, will I have the ability to pick up the phone and call you, also I'm comfortable that all of you will always feel that same way as to each other, that this is the greatest place that anyone can be, that we are each one of fifty-nine of eleven million eight hundred thousand people who have taken on that task of being there for our people. That's what will make the future generations greater. And what better thing can any of us personally do? And this is the benefit we get out of this job. You know, it's a lot of time not only coming here, going to all the events we have to go to back at home. What do we gain from it? We have that ability to walk out of here knowing that we have helped make tomorrow a little better than today. That's what it's all about, and I thank you all for having been my colleagues.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 277. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Jones now moves the adoption of Senate Resolution 277. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Members please be in their seats. Will the staff please retire to the gallery,

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and will the doormen please secure the doors? Resolutions.

SECRETARY HARRY:

Senate Resolution 281, offered by Senators Philip, Weaver and all Members of the Senate.

(Secretary reads SR No. 281)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip moves the motion to suspend -- Senator Philip moves to suspend the rules for the immediate consideration and adoption of Senate Resolution 281. The motion carries. Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, it was my pleasure to know Marty Butler and know him as a -- not only as a gentleman, but also as a very gentle person who used to help me with his great knowledge of English, this immigrant girl, on the crossword puzzles when we had a few -- a few minutes together, and he was a very talented gentleman in government. He was an excellent public servant. He was well loved by the people in his area, and every time I'd go anywhere and somebody would ask me what did I do, and I was in the Illinois Senate, they knew Marty Butler and would send me -- send him best regards through me because they loved him. He -- his death is a great loss to us, because he was a caring person who had great conscience and the courage of his convictions. He will be missed by all of us. He was a man that left his mark on anyone who knew him, because he was a very positive person. He never said an unkind word about anyone. And all I can say is God must have needed him more than his loved ones. And I salute the memory of Senator Marty Butler.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. I knew Marty many years before he

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came to this Chamber. He really was a legend in his own time, as President of the Village of Park Ridge. As many of you know, I served in the House for ten years before I came to the Senate and was involved in many activities in local government, talked to Marty on several issues. So when I came to the Senate, I looked for a place to sit, what was left being bottom on the seniority rung - you know, nothing counts when you come over from the House; those of you that have been in the -- in the House and come to the Senate, you start at -- as a freshman again - and saw that there was a place to sit next to Marty and immediately went over and decided to take that spot. We had a great time talking about issues in local government. First time I served on Local Government Committee in '92, Marty was one of the fellow committee members. We talked about many local issues and then he became Chairman. Whenever anything came up that I asked if we could get an amendment on a bill or work out something 'cause there was a problem in my district, talked to Peg Mosgers, the staff member, and to Marty, and was always congenial to me and everybody else trying to -- to help those folks out. Talked many times about some of the subcommittee meetings that go on after hours, and always had a smile on his face, as was mentioned before. Always talked well about everybody. Always -- always had a great story to tell about the night before. We won't go into those, Mr. President. When he left on November 19th before the Thanksgiving vacation, we talked about our families and what we were going to do. And he has a daughter out in -- I believe it's Arizona, and he was going to drive there and back because his wife does not fly. So I wished him well. I said, I hope you have a safe trip and we'll see you back in two weeks. And, of course, we all got the bad news earlier this week. We lost a -- a great colleague. His community certainly lost a great leader, and his family lost a dearly loved husband and father. And I know we'll all miss him

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and we wish his family the deepest sympathy and we hope that everything works out well for -- for his family. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

Thank you -- thank you, Madam President. This has been certainly a sad week for me and for all of us. Marty had been my roommate for eight years. Even our earlier experiences are similar. Marty and I both served in World War II in the southwest Pacific and we had a lot of war stories to talk about through the years. He was one of the charter members of the "Subcommittee on Currency Exchange". He enjoyed that, as do many of you who are -- from time to time had the privilege of visiting with Marty over the card table. He loved life. He loved his colleagues. He was a fine father. Marty and I both were former long-time mayors of our respective communities. We had a great deal to argue about, agree about. I feel inadequate in expressing my love for Marty and his love for all of us. I talked to Marty Monday afternoon and he says, "Are you coming down today?" And I said, well, I thought I'd wait until morning. And he said, "Well, if you were going to go down, I'd come down and we'll have dinner." So it's shocking, but I know Marty was fighting it all the way. And he wouldn't want us to feel too sad, because Marty enjoyed every minute down here and he loved every one of you. He respected every one of you, and we'll certainly miss him.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President. Always one of the most difficult things is to lose a friend and a colleague. I've known Marty for over twenty years as a mayor, as a Republican township chairman, as a Senator. And I always called him the "Smiling Irishman". I



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don't think I've ever met a man that had a more positive attitude than Senator Butler. Always upbeat. Always something nice to say. Always had a good outlook on things. And I don't believe I ever heard him criticize anybody. I got to know him in that old fogies club called "The Currency Exchange", and he was one of the players. We'd play at least once or twice a week. And to say the least, Marty was a great poker player. Normally went away with a few more dollars in his pocket and a smile on his face. I feel like the rest of you do. We're really going to miss Senator Butler. He was a great asset to this Body, and I think that he reflected well on this institution. I don't think I've ever seen a Senator any more -- any well -- more well liked than Senator Butler. Everybody liked him. Everybody had a good word to say about Marty. Marty, I know you're up there and have been looking down on us tonight -- today with a big smile on your face. We're going to miss you and we loved you, buddy.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip moves the adoption of Senate Resolution 281. All in favor of this resolution, please rise. Resolution is adopted. Senate is adjourned.

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