

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

116th Legislative Day

11/30/2006

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PRESIDENT JONES:

The regular Session of the 94th General Assembly will please come to order. Will our Members please be at their desks? Will our guests in the galleries please rise? The -- the invocation today will be -- be given by Reverend Lynette DeAtley, Shelby Cooperative Parish, Shelbyville, Illinois.

THE REVEREND LYNETTE DeATLEY:

(Prayer by the Reverend Lynette DeAtley)

PRESIDENT JONES:

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

SENATOR MALONEY:

(Pledge of Allegiance, led by Senator Maloney)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Wednesday, November 29, 2006.

PRESIDENT JONES:

Senator Hunter.

SENATOR HUNTER:

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

PRESIDENT JONES:

Senator Hunter moves to approve the Journal just read by the Secretary. There being no objection, so ordered. Madam Secretary, Messages. Introduction of Bills, rather.

SECRETARY HAWKER:

Senate Bill 3204, offered by Senator Sandoval.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

Senate Resolution 908, offered by Senators Harmon, Schoenberg and all Members.

Senate Resolution 909, offered by Senators Silverstein, Schoenberg and all Members.

And Senate Resolution 910, offered by Senator Silverstein and all Members.

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And Senate Resolution 911, offered by Senator Forby and all Members.

They're all death resolutions, Mr. President.

PRESIDENT JONES:

Resolutions Consent Calendar. We'll stand at ease temporarily until... Senator Link, what purpose do you rise?

SENATOR LINK:

Thank you, Mr. President. There will be a Democratic Caucus immediately in the President's Conference Room.

PRESIDENT JONES:

Thank you. Senator -- Burzynski, what purpose you rise?

SENATOR BURZYNSKI:

Thank you, Mr. President. The Republicans would seek a Caucus, as well, in the computer lab down the hallway. Thank you.

PRESIDENT JONES:

And to both of the Caucuses, this more than likely will be our last day during the Veto Session. And with inclement weather coming many Members have indicated -- asking how long it's going to take us. They want to get out of here, especially those in the southern region. They don't like to be too far north, I understand. So -- so -- so the respective caucuses should last no more than thirty minutes. No more than thirty minutes. Then we can come back to the Floor and -- and try to get our business taken care of in a timely manner. So the Senate will stand at recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEL VALLE)

The Senate will come to order. The Journal Star, Channel 20, and Chicago Tribune seek permission to photograph or record the proceedings. Hearing no objections, leave is granted. Ladies and Gentlemen, some of the photographers have asked for permission to photograph from the outside. So if you see photographers out there - cameras - they've been given permission to photograph. Keep that in mind. Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the President, dated November 30, 2006.

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Dear Madam Secretary - Pursuant to Rule 3-5(c), I hereby appoint Senator Rickey Hendon to resume his position on the Senate Rules Committee. This appointment is effective immediately.

Sincerely, Emil Jones, Jr., Senate President.

A second Message from the President, dated November 30, 2006.

Dear Madam Secretary - Pursuant to the provisions of Senate Rule 2-10, I hereby establish January 9, 2007, as the 3rd Reading deadline for the following House Bills:

House Bills 822 and 3752.

Sincerely, Emil Jones, Jr., Senate President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Environment and Energy Committee - House Bill 822; refer to Labor Committee - House Bill 3752; Be Approved for Consideration - Floor Amendment No. 2 to House Bill 2197.

The Senate Rules Committee issues an exemption to Rule 3-9(b) for the following Legislative Measures: House Bills 822 and 3752.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Ladies and Gentlemen, we will be going to page 4, Secretary's Desk, Resolutions. Senate Joint Resolution 94. Senator Lightford. Madam Secretary, read the resolution.

SECRETARY HAWKER:

Senate Joint Resolution 94, offered by Senator Lightford. There are no committee amendments reported.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have there been any amendments approved for consideration?

SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford, to explain the amendment.

SENATOR LIGHTFORD:

Thank you, Mr. President. Ladies and Gentlemen, Floor Amendment No. 1 to Senate Joint Resolution 94 addresses the

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school mandate waiver request. We have decided to limit approval for certain P.E. and substitute teacher requests. Those reductions will be two years, opposed to a five-year request for: Ball-Chatham, Addison, Cook County District 130, Champaign, and the Chicago public schools. And we have decided to reduce the waiver for the substitute teachers in the Schaumburg School District from five years to finishing out this school year and one additional year.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President. I rise in support of the lady's resolution. This is the process that ensures that school districts have some measure of local control. And the overwhelming majority of the requests for waivers were granted. We have stepped in and denied very few here. And I commend my colleague, Senator Lightford, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford moves the adoption of Amendment No. -- No. 1 to Senate Joint Resolution 94. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Now on the resolution. Senate Joint Resolution 94. Senator Lightford.

SENATOR LIGHTFORD:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. There was a number of waivers that, in fact, Senator Cronin mentioned were approved. But we followed some of the ISBE recommendations and it seems to be a nice package that we have. I'd -- I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Any discussion? Seeing none, this resolution regarding school waivers requires a recorded vote. Those in favor of the resolution will vote Aye. Opposed, Nay. The voting is open. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Burzynski votes Aye. Clayborne. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye.

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Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hendon votes Aye. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell -- Jones votes Aye. Lauzen. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes Aye. Risinger. Risinger -- votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes No. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes Aye. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Forby, for what purpose do you seek recognition? Madam Secretary, record Senator Forby as voting Aye. Senator Clayborne. Please record Senator Clayborne as voting Aye. Senator Lauzen. Please record Senator Lauzen as voting Aye. Have all voted who wish? Take the record. On the question, there are 56 Ayes, 1 Nay, none voting Present. The resolution is adopted. We will now proceed to the top of page 2, Senate Bills 3rd Reading. Senate Bill 1537. Senator Trotter.

SENATOR TROTTER:

...very much, Mr. President, Members of the Senate. Senate Bill 1537 is the FY'07 supplemental request. So, certainly, would like to have everyone's attention.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, we need to do a recall. If you'll give us just a

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second. Senator Trotter seeks leave of the Body to return Senate -- Senate Bill 1537 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 Senate Bill 1537. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Trotter.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter, to explain your amendment.

SENATOR TROTTER:

If -- if we could, the amendment is -- well the -- this is the FY'07 supplemental request. We can adopt the amendment and then take it back to 3rd. I'll explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter moves the adoption of Floor Amendment No. 1 to Senate Bill 1537. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there are any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1537. Senator Trotter. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 1537.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. This is the FY'07 supplemental request. It's inclusive of a thirty-million-five-hundred-thirty-two-thousand request. It covers thirteen agencies for purposes ranging from economic development, education, cost of doing business, array of other social service programs, and it also addresses the salary adjustments -- recommended by the Compensation Review Board. Some of the specifics of the bill are -- includes one -- 2.5 million dollars, which addresses the compensation from the Review Board recommendation level for

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Executive and Legislative branches. It has for the judges -- it has -- the recommendation's -- 1.2 million dollars for the recommendations for the COLAs for the associate judges. For the Comptroller, it adds another seven hundred thousand dollars to address the COLAs for the statutory cost -- COLAs for '06 and '07. It has for the Court of Claims to satisfy a judgment - State Board of Education {sic} (Elections) - five hundred thirty-four thousand dollars. For the three-percent COLAs which will go to the providers who deliver services to women and children, the bill that we passed just two weeks ago, it has five hundred and thirty -- excuse me, seven hundred and sixty-five thousand dollars going to the Healthcare and Family Services. An additional three million point three thousand going to Human Services. The -- the net cost of that will be 3.5 million dollars of getting reimbursement from the feds. It has here 2.1 dollars to cover utility costs for our military installations in our armories, used to be a cost that was handled and taken up by the federal government. They no longer do that. Without this payment they would have to turn off their lights, shut off the water. Here, also for Public Health, it has 9.5 million dollars so you -- for the purchase of the pandemic flu vaccine, which goes to the first responders here in the State. There is a federal -- cut off of December 31st. If we do not make our order by December 31st, we lose this twenty-five-percent subsidy that we get from the federal government. It covers our -- our G.A. mandate that we made to the State Police Department and to State's Attorneys of 3.1 million dollars for the interrogating of -- investigations. Again, there -- there are many others that are here, but ninety percent of these -- of these dollars will go for programs -- will go back into each and most of our communities dealing with those necessary things that they need to do to provide the services to the people that elected us to come to Springfield. And I ask for an Aye vote, and waiting for -- will answer questions, if necessary.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you. First I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Sponsor indicates he will yield.

SENATOR RADOGNO:

On the -- the piece that deals with the pay increases, is there back pay? The compensation review, right.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

...not pay increases. These are COLAs that have been recommended by the Compensation Review Board. So, to characterize them as pay increases, I think is very disingenuous.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Radogno.

SENATOR RADOGNO:

Another question that came up when we were discussing this is, will there be -- will Members and all those covered by this receive a lump-sum check for the previous COLAs that were not granted? Or how does it -- how's this going to work?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

And that is basically how it works. Correct. For -- for the past five years. So, this goes in -- inclusive of the '07.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Radogno.

SENATOR RADOGNO:

Okay. So thank you. So there will be a -- a -- a -- one big check in addition to phasing in. Now, I guess I just want to make a comment then, and -- and explain my thinking on this. We had this discussion in Caucus -- or in committee last night. And that is, there's a lot of good and there's a lot of bad in this bill, as there usually is with a supplemental. And so you can probably explain it either way. Senator Trotter certainly identified the one that's probably going to be the lightning rod, and that is the pay increase issue. We talked about that last time we were here a couple weeks ago. We all voted on that. I think many of us, and myself included, feel that, while I'm not opposed to a pay increase, I think Legislators deserve that, as do many of the other people that are included. But, our merit comp employees have not received anything and we're not paying

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our -- our Medicaid bills on time. I just think that we have other priorities that ought to be addressed first. So if you're voting for this, I believe that is the primary issue contained in this bill, which is the pay increase. It is true, there are other good things in it. In particular, the COLA increase. And anybody that knows me and knows how I voted knows that I'm extremely in favor of getting money to our human-service providers. I think they've been long underfunded. But the fact of the matter is, the bill that this funds hasn't even passed the House, so we don't need to be doing this right now. We will be seeing another supplemental in short order. There's other things that are coming up, that once that bill passes the House, it would be appropriate to go ahead and include those things. So I guess, my vote is going to be No, because I don't think, on balance, that we're doing the right thing with this, that we ought to address the other demands that we have regarding our other employees in this State. And I do believe that the primary issue here is the pay increase. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger. Senator Trotter, you wish to respond?

SENATOR TROTTER:

Just if I can -- just respond a little bit. One, -- because of the -- the intelligence and the mindset of the founding fathers, they drafted a constitution that gave us two Chambers here in the State of Illinois. What they do in the House has no impact on what we should do on this end. We have a responsibility to do the correct thing for all of our citizens. The dollars over here, COGFA has -- reestimated the -- their estimates for this quarter and we're sixty million dollars a -- a net, this year. This is thirty-million-dollar bill. When we can afford to pay our bills we should pay our bills. Ninety percent of this legislation, of this supplemental goes for paying our bills dealing with those court costs of a -- of a case that's been going on since 1995, and was finally settled in 2005. This is ensuring that our children in those after-school programs will in fact have dollars. Ninety percent. So -- so when you say that this has to do with a cost of living increase for us, which is -- only represents ten percent of that, I mean it's -- it's just -- it is wrong, and as I mentioned before, disingenuous.

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This is something we need to deal with and not wait on the House to act. We need -- may -- maybe we'd -- they'll act faster if we give them more work.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

Thank you. Senator Trotter, it -- I'm very disappointed that -- that we're going to fund our cost of living, and again, nine thousand State employees are going to go over four years without their cost of living, not a pay raise as you aptly pointed out, but a cost of living. And as many of you said before, you know, everybody deserves to have a cost of living and to stay up with the -- the cost of living. I think that and -- and many of you on your side of the aisle have agreed with that, so I expected to see some money in here for the cost of living for those State employees that are going to go through the holidays for another period of time and -- and see no additional cost of living in their income. So I -- I -- my comment is, I'm just very disappointed in the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I -- I'm sorry, Senator Trotter, if you mentioned this during your opening remarks, but I think there's a provision in -- in this legislation that pays some legal fees for a lawsuit that was filed against the State and the plaintiff that filed the -- the suit against the State actually lost the case - lost the case - and now some -- some judge has made a determination that we should pay - the State of Illinois, the people of this State - should pay the legal fees for that very case that was brought against the State, pay the legal fees of the attorneys who brought the case. Is that accurate?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

That is the way I understand the case, as well. However, sir, as -- as you know, there's three branches; there's a -- Judicial, the Executive, and the Legislative. The Judicial

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Branch has said this is our responsibility. So it's incumbent upon us, in our sphere of -- of doing things in Legislative Branch is to spend these dollars that have been also approved by appeal in 2005.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Well, I appreciate the comment, but I've made a lot of comments and recommendations to the Judicial that they've never accepted, that they've never done anything about. In fact, ignored and almost turned their back on any suggestion we might have. For us to just acquiesce, and cave in, and pay - is it -- it's five hundred and some thousand dollars - in legal fees to a firm who represented a lawsuit against the State and lost. They lost. We're going to pay their legal fees. I just don't understand this. I do not understand why this is being done. I don't understand why some judge somewhere can dictate policy to this Body when there is separate functions of State government, definitely. So that's -- there is separate functions. And we have a responsibility. And it's a responsibility to the taxpayers. And -- and the taxpayers should not be burdened with this outrageous request.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter, to close.

SENATOR TROTTER:

As -- as pointed out, this is 30.5 million dollars which will go to fund those -- those agencies, those providers that deliver services to some of our most vulnerable. It -- it deals with our obligation in -- in paying our bills. It was mentioned in debate that we oftentimes do not. The resources are there. This bill a -- allows us to do so. And -- and I ask for an Aye vote from all the Members.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Bill 1537 pass. Those in favor will vote Aye. Those opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes No. Axley. Axley votes No. Bomke. Bomke votes No. Brady. Brady votes No. Burzynski. Burzynski

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votes No. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Cronin votes No. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes No. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hendon votes Aye. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes No. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes No. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes No. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes No. Peterson. Peterson votes Aye. Petka. Radogno. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes No. Risinger. Risinger votes No. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes No. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes No. Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes Aye. Syverson. Syverson votes No. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes No. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes No. Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Radogno. Senator Radogno wishes to be recorded as No. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 37 Ayes, 19 Nays, none voting Present. Senate Bill 1537, having received the required constitutional majority, is declared passed. We will now proceed to the Order of House Bills 3rd Reading, also on page 2, middle of the page. House Bills 3rd. Senator Viverito, on Senate {sic} Bill 1896. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate -- pardon me, House Bill 1896.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Viverito, on House Bill 1896.

SENATOR VIVERITO:

Yes, Ladies and Gentlemen. This bill basically is a bill that the Illinois Department of Transportation needed. It is a definite advantage to the Village of Justice. And it will clear up a lot of the hazards in the -- the traffic jams that they've had. So I hope that -- everyone would vote a Yes. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1896 pass. Those in favor will vote Aye. Those opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Burzynski votes Aye. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hendon votes Aye. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes Aye. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Sullivan

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votes Aye. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Watson. Senator Watson wishes to be recorded as Yes. Senator Garrett. Senator Garrett wishes to be recorded voting Aye. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 57 Ayes, no Nays, and none voting Present. House Bill 1896, having received the required constitutional majority, is declared passed. The sponsorship -- the sponsorship on House Bill 2197 has been changed to Senator Clayborne. Senator Clayborne, do you wish to proceed? Senator Clayborne seeks leave of the Body to return House Bill 2197 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 2197. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne, to explain your amendment.

SENATOR CLAYBORNE:

Yes. Thank you. Just a technical amendment. It removes lines -- oh, I'm sorry -- Senate 1 is the bill. I'm sorry. Senate 1 is the -- the amendment that deals with the utility rates that are supposed to go into effect in January 1st, 2007.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Senator Clayborne, this amendment becomes the bill. What's the difference between what's in this amendment and the underlying bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Clayborne.

SENATOR CLAYBORNE:

Nothing. The -- the -- the current bill without the amendment is just a vehicle bill. It dealt with mining.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Senator, there's another amendment coming? All right. Okay. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Yeah. Yes. To answer your question, yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Seeing no further discussion, Senator Clayborne moves the adoption of Floor Amendment No. 1 to House Bill 2197. All those in favor will vote Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne, on...

SENATOR CLAYBORNE:

Yeah.

PRESIDING OFFICER: (SENATOR DEL VALLE)

...Floor Amendment No. 2.

SENATOR CLAYBORNE:

Basically, Floor Amendment No. 2, on page 7, deletes lines 3 through 34 that dealt with an opt-out provision as relates to credit rating.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

On this amendment, Senator Clayborne, can you go into a

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little more detail about the opt-out provision you've referred to?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Basically, this removes the provision where if the utility's credit rating dropped then they can opt-out of phasing in the increase in -- in utility rates.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. Senator Clayborne, have you spoken with -- officials from Ameren about what they believe the effect will be on their company if their bonds are downgraded to junk status?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, I have talked to them.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

And, Senator Clayborne, could you tell the Body what it is that Ameren has told you will happen to them financially if their bonds are downgraded to junk status?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Yeah. They said if their -- their bonds are downgraded it will cost them more to buy the power.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion on the amendment? Senator Clayborne moves the adoption of Floor Amendment No. 2 to House Bill 2197. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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3rd Reading. Now on the Order of 3rd Reading is House Bill 2197. Senator Clayborne, do you wish to proceed? Senator Clayborne, on House Bill 2197. Madam Secretary, please read the bill.

SECRETARY HAWKER:

House Bill 2197.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. House Bill 2197 dealing with Amendment No. 2 is a compromise to what's going to happen or what potentially could happen in January 1st of 2007. I think in the ComEd territory the rates are expected to go up twenty-two percent; in CILCO I think it's fifty percent; in AmerenIP and CIPS I think it's about forty to forty-two percent. And we've all heard from our constituents and they understand that the rate freeze extension -- well, that the rate freeze will be eliminated at the end of this year and these rates will go into effect. We understand that there's various arguments that are taking place or discussions that some people believe there should be a rate-freeze extension. Some people believe we should let the rates go into effect as it is. And some people think that there should be a compromise. And I'm here to propose a compromise. That what we're intending to do is to allow ComEd to phase in their rates over three years - seven percent, seven percent, and eight percent. And what we're telling the -- our constituents, those that can't afford to pay this increase, that we're not going to charge -- that they won't be charged interest as it relates to this phase-in. As for Ameren, the phase-in is fourteen, fourteen, fourteen. The same thing applies that they will not be -- required to pay interest on the debt to be recovered by AmerenIP. They will be allowed to file, once this goes into effect - I think within thirty days - a plan with the ICC to determine how they will recover those costs for those, at least those two years where they were not able to get the full cost of what it costs for them to buy power. Also in this bill, and it makes it very clear, because I've heard that

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someone from the other side of the Chamber talked about that there would be interest paid. If you look on page 3 of the bill, line 11 it -- states, "Such collections shall not include carrying costs". Also, I believe on page 11, lines 16 through 18 it provides "that the total amount of qualified bondable costs for an electric utility shall not exceed its deferred power supply amounts". And that is the total amounts that were not paid during those years that they -- that the consumer did not pay the full amount. So in the bill, clearly, it -- there's no carrying cost of interest charge on consumers for those years. Also, as it relates to the consumers, there are monies in here that will go towards various educational programs. LIHEAP. Ameren -- I mean, I'm sorry -- ComEd will be required to pay three million prior to December 31st of '07, for consumer education on efficiency programs, maintenance and upgrades of a website allowing consumers to analyze their energy usage and provide incentives to purchase energy-efficient products or the provision energy-efficient light bulbs to residential customers. They will also be required to pay ten million dollars between -- January 2nd of '07 through December 31st of '09, for an energy efficiency program including demand response programs approved by the ICC. There will be incremental costs associated with the purchase of a ten-million-dollar worth of renewable energy sources between January 2nd of '07 through -- through December 31st of '09, which must be approved by the ICC. ComEd will also be required to pay one million per year from 2009 for a pilot program designed by the utilities for residential customers eligible to participate in LIHEAP. And it provides for this provision of electric service on a percentage of income plan. This is also -- will be approved by the Illinois Department of Healthcare and Family Services to review and accept the program. They will also be required to pay one million per year for each year through 2009 through -- through -- from 2009 to -- I'm sorry, from 2007 to 2009 for a working family assistance fund. The fund is to -- administered, again, by the Department of Healthcare and Family -- Family Services. This is for those individuals that may not fall up under the eligibility requirements for LIHEAP. They will also be required to pay four million dollars during the years of January 2nd of '07 through

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December 31st of '09 towards a program that provides senior citizens in subsidized housing who have to pay their own electric bills with credits during July, August, and September. And for Ameren, there would be -- they will be required to pay six million dollars prior to December 31st of '08 for customer education on efficiency programs and this will be approved by the ICC. And they also will be required to pay nine million dollars from January 2nd of '07 through December 31st of '08 for programs that assist low-income residential customers who pay their electricity bills. There's also securitization that's in here where they can issue bonds to mitigate the -- the -- the recoverable costs that they didn't receive those -- those years that they didn't pay -- the ratepayers didn't pay the entire amount. I would say to you-all, that this is a very consumer-friendly bill. That is it better than what has been proposed in the House. And -- and clearly, neither company is totally satisfied with this, because there are costs associated with phasing this in. But I believe, at least in my district, that the people that I have talked to have asked that we at least phase in and don't make the pain so hurtful immediately. So, I think this is a good -- compromise to move this forward, and to make sure that people have some of the -- the -- the services that they need in terms of reliable energy, making sure that those who can't pay, that there are provisions in here to help them. And, again, it is a -- a true compromise. I would -- I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

One-TV seeks permission to videotape. Hearing no objection, leave is granted. Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. I'll make this short. I hope my power is on after I'm done speaking, too. When we came down here during the Veto Session, we had three issues that I thought were very important; one was property tax relief, the minimum wage, and then this utility increase. All of 'em I think are very important, but the most important I thought was the utility increase because that affects everyone in our district, every one of our voters. An increase of twenty-two percent or even fifty percent, I believe, is totally unconscionable and unbelievable.

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And, every morning, my - God bless her - my -- my eighty-year-old ma asks me what are we doing to do with the utility increase. And -- and honestly, I don't have an answer for her. We all have a hundred or a thousand Ethel Silversteins in our district. And we're going to leave here and we're going to blame everybody; we'll blame the House, we'll blame the Republicans, we'll blame everybody under the sun. However, the people in the State of Illinois are sick of the blame. They're sick of the rhetoric. And, they want some action done, specifically on this issue. Now, let's look at this bill and -- and I -- I don't know if this is the right bill. Many of us are going to vote for it because it's the only thing out there. And let's be honest, if it passes today, it's going to go to the House, and the House adjourns nothing is going to happen. And come January 1st there will be an increase to our constituency of either twenty-two or fifty percent. So what's the solution? Well, I filed a bill to extend the rate freeze for six months, five months, that didn't work. What am I going to do? I tried. I wrote to -- and here's my last solution - because I can't sleep at night, 'cause this affects a lot of people in my district. And it -- and let me tell you, you're going to hear about this at home, if we don't do something. On January 17th, I wrote to the Governor asking for him -- his involvement. It was the day after we left. Now, I didn't get a response. Maybe he didn't get the letter. I -- I'm not faulting him on this. But -- but I -- but -- but today, seriously, ladies and gentlemen, I'm seriously -- publicly calling on the Governor to get involved and to bring the utility companies, the Legislative Leaders into a room to work out a compromise where these utility companies stay in business, where the consumer is protected and people can have confidence in their elected officials. And that's very important. So, yes, I'm going to vote for the -- the bill. I know what's going to happen January 1st and I feel very sad for the public. But maybe some divine intervention can come in from now until January 1st where the parties can come together. It means maybe a special Session. I don't know. But something there that we can protect these companies and also the consumers. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

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SENATOR RISINGER:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RISINGER:

Were there any -- in committee, were there any slips filed against this bill?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Yes, there were. There were slips. I know that Ameren is opposed, CUB, AARP and IBEW.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

I -- I also believe the Attorney General was opposed to it. You know, I agree with the -- Senator Silverstein said. He had a lot of good comments. I think this is probably one of the most important things that we're doing down here today. You know, we've been asked to work in a bipartisan way on such an important issue 'cause it involves all of our voters. And what disturbs me and what bothers me, whenever I'm being asked to do that, is that I get this amendment one hour before the committee hearing. Our staff has not been involved or asked to be involved at all in the writing of -- of -- of this amendment. This is a compromise bill. But, it's not a good compromise bill. It will not keep the lights on in my district. It certainly is going to delay hook ups. And it's going to cause layoffs. And it's going to cause real grief in the -- in -- in my area. I do believe we could have come up with a compromise bill that would allow that to do that and also protect the consumers at the same time. And, to put the amendment in on the last minute on the Floor, that will certainly cause harm to Ameren as they're trying to do their best to provide a service to all of our customers, I think is a very disservice to all the people in the Ameren area. I still think we have a -- a -- a chance to get the Governor involved. I think the Governor ought to be involved. And, I think it ought to be a bipartisan group that works together to make this happen. I would urge a -- at least on my side of the aisle with the

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Ameren - anybody that has Ameren to vote No on this bill. And for us to go back to the table and work on a bill that -- that makes sense for all the people and all the citizens of Illinois.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Yeah. Just a response to Senator Risinger. The choice, Senator, is either to have your constituents pay interest on the outstanding amount or let the -- let the fifty percent go into effect in January.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

That's not the only choice. We did -- we weren't involved in the discussion. You know, the discussion was never to stretch the bill out longer. It was never discussed about lowering the interest rate. It -- all those discussions, if they did take place, I was unaware of them, because we were not involved in the process.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

The -- the -- basically, and there are some other differences, but the two major differences between what Ameren wants to do with the ICC is the interest rate. So if -- if you're supporting that then what you're saying is that you will charge your constituents interest over the course of three years. That's -- that's -- that's pretty much the difference, along with the provision that you talked about, the opt out. They don't want it mandatory for those who may want to pay their bill totally. But, because we don't have interest in here, it doesn't make a difference because you've just allowed them to phase it in. So the difference is, what you're -- what I hear you saying is the compromise that Ameren wants is that they want to charge interest and they want to make it optional.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

I did not say that I support the bill that goes through the

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Commerce Commission. That is what Ameren proposed to the Commerce Commission. What I proposed was that we sit down with - - with the Ameren and with ComEd and we work out a compromise that makes the rate increase per year small enough for our customers to absorb. And, at the same time, keep the lights on. We have not had that discussion, as far as I know.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

I'm just telling you what -- what the discussions with Ameren and -- and ComEd are. Both of 'em would like to have interest. And what we've done in here, we've told our constituents that we're not going to charge them interest. So I'm -- I'm just telling you what the discussions are.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Couple of questions for the sponsor, if he would.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR RAUSCHENBERGER:

Well, first let me say, Senator Clayborne, I know what it's like to carry bills like this and -- and you have my compliments. It -- it's not always fun to be carrying that -- that focus of everybody's attention. So, you -- and you're doing a great job. And, I also want to compliment the Senate President on not doing what is taking place in the other Chamber that's meeting in the Old State House and -- and play just raw politics with this issue. We've got a real problem to deal with and so the -- my compliments - having been involved with the original drafting of this law as others were here - go to the Senate President, as well. But, I guess I got a couple of questions I want to make sure that everybody understands. First of all, if -- if this -- if there were to be no bill, or if this bill were either to fail in this Chamber, or pass in this Chamber and not be considered in the House a very similar proposal is before the Illinois Commerce Commission. And there's a reasonably good likelihood it'll be acted on. Isn't that fair to say?

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

That is what the utilities have said. Yes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I guess my other question that I hope you'll expand on a little bit that kind of -- I -- I was in committee hearing last night and -- and really enjoyed it. It's always good hearing bright people testify about complicated issues, but there was an amendment today that was not contemplated in committee last night which seems to take an assurance out of the bill. Originally, as I understood it, the bill provided an -- an opt-out escape for a utility if the marketplace reacted to our legislative action and, essentially, down rated them to -- to junk-bond status. And the reason that's important everybody should understand is this, we're essentially, with this bill, ordering Commonwealth Edison and Ameren to go out and buy five billion dollars or so worth of electricity. And, we're telling 'em we're not going to give them enough rate to pay for that. So, they're going to have to go out and borrow the difference between the new rates on January 1st and what the electricity actually costs. So, if they're borrowing costs of today - Ameren testified at eight and a half percent - if they were to hit junk-bond status, they're borrowing costs might surge to thirteen or fourteen percent and put their stock at risk. So, I guess I'm a little concerned about why, over the course of the evening -- between the hearing last night and -- and today's Floor action the -- the -- the trigger, which would have prevented perhaps a financial meltdown by one of the two utilities, was summarily amended back out of the bill. Can -
- can you tell us why?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Senator Rauschenberger, and -- and maybe it wasn't clear last night. Senator Harmon did ask that question and I did indicate that there would be an amendment in the morning to take that out. One of the reasons why it is believed that we don't

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want the utilities to opt out of this and create a heavier burden again on our constituents. So, it doesn't make sense to allow them to opt out and to not phase it in, which we're back in the same situation. I -- I think the -- the key is - and I'm not a bond lawyer - but I was talking to one of -- one of -- one of my colleagues here who mentioned that there's a way that you could probably -- issue bonds, the mitigation bonds, where they will pay a very de minimis or almost no interest rate that the utilities can move forward.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

One last question. I don't mean to -- to drag the Body on. But, I -- I guess I just want to make sure, so the -- the concern was that -- that a public-owned utility with a -- a CEO with a fiduciary responsibility would purposely drive his company to junk-bond status to -- to be able to opt out of this bill. I mean, you know, that's -- that's kind of -- and I guess the last thing and -- I'll close and let you answer, 'cause you're doing a great job. You know, when we talk about de minimis borrowing costs, they can truly exist. In fact, we did that in the '97 law. But, what they require is legislative certainty. If -- if there's a question of what the House really intends to do, or what the Senate does, or if there's a lot of -- if -- if for example, there happens to be a high elected official who's -- who says publicly he's going to stop any rate increase, we create uncertainty in the marketplace. Which isn't' the fault of the Senate or the sponsor's fault, but it is a condition that those business people have to deal with. And -- and so, I just -- I have that concern. I mean, are you -- is -- is the -- the removal of that amendment really a reaction saying that we believe that one of our utilities would purposely drive a -- a company into junk-bond status? And thank you for your responses.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

No. No. I don't -- I don't think that's -- that's the intent. I -- I think basically, the intent of this bill is not to hurt the utilities. I -- I know there's some concern on the

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part on Ameren. There's some people that believe, I mean, in -- in talking to the CUB, they believe that we're moving in the right direction and that Ameren shouldn't or ComEd shouldn't get another nickel. So they don't think we've gone far enough. AARP and -- and CUB say we haven't gone far enough. So we believe that we're right there to assist the utilities to get, at least the first year, they will get a third of what they have to pay for coming back in terms of a rate paid by the consumer. The second year, they have to borrow a third and they'll get two-thirds of what their cost come from the -- the consumer. And then the third year, obviously, their -- their borrowing, they will get their entire cost back from the -- the consumer as it relates to what it costs for them to buy the power. So, we're really asking them two years; one year is to pay two-thirds and the second year to pay a third. And -- and, I believe that these companies have the ability to make this work for themselves, like they have during the ten years that there was a rate freeze. They made substantial record profits during that period of time, because there's a reason why they've been viable. They've purchased other companies during that period of time. We believe that they have the capability to continue to be a profitable company.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

...you, Mr. President, Members of the Senate. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR LUECHTEFELD:

I've had a couple of businesses call me this morning and -- and is -- is this seven percent and -- and fourteen percent strictly to residential or does this for businesses also?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Residential.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

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SENATOR LUECHTEFELD:

And what would then businesses be? What -- what would their increase be? Has that already been decided or will they -- that be decided by the Commerce Commission?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Yeah. The -- it's still before the Commerce Commission, they can decide that. But Ameren still has the ability -- well, not ComEd, but -- well, both have the ability if they want to offer this same phase-in to -- to businesses, as well.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

So there really is no guarantee. With the -- businesses are sort of out there just -- with no guarantee of what might happen as far as costs are concerned.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, Senator, and -- and -- and I'm a lawyer, so I'm a small business owner. But, at the same time I -- I -- I guess what people -- the same argument that people have made about the consumers ten years ago -- the manufacturers, the retailers, all of them came out in support of this. They -- they supported the law as it is today. So, I mean, it's no surprise. And -- and, just like Senator Rauschenberger talked about it, I mean, you got to forecast and -- and make these decisions and know that as time passes on that you've got to adjust to these costs. Otherwise, anything can happen and you may not survive. So, they have the opportunity; Ameren and -- and ComEd have the opportunity to offer the phase-in to businesses, as well.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

But -- but -- what you're -- and -- and -- and I -- I understand what you're saying, but you're -- you're basically saying that we don't know -- really know what's going to happen with regard to businesses. I mean, I don't have an answer for

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them. Is that what you're saying? This bill does nothing and does nothing for businesses.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Right. And -- and -- and as I understand it, part of the -- the process in talking to -- to -- to the companies, it was contemplated by one of the companies to offer this to businesses, schools and other entities. So they still can do it.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Another question. You mentioned schools. What will they -- will they be under the seven percent and the fourteen percent, also?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

This -- this bill is just residential.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

And, so schools would be sort of in limbo also?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

It's the same, that they can offer the same package to -- to them, as well.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

...say they can, will the -- will the Commerce Commission make that decision then or what? Let's say that they don't offer it, to -- will the Commerce Commission make that decision?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

The -- the -- there's a rate case going on now. If -- if that's decided before this is signed into law then -- then you

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have a decision. I'm not sure -- is it being offered? I'm not sure if it's being offered in the -- yeah, in -- in fact, I don't believe that now the rate case offers this to the schools or the businesses or the municipalities during their filing.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. And, I appreciate Senator Clayborne's response. And -- and, I know it's a tough bill for him, 'cause he -- he comes from the Ameren territory, and -- and obviously, they're going to be impacted in not a very positive way. You said this was a good consumer bill, but I heard -- did hear that the Citizens Utility Board and the AARP is against this. And AARP -- they -- they're the most delicate citizens of this State. And, if it's such a great consumer bill, I'm not sure why they wouldn't be advocating for this. But, they are on -- most of 'em -- fixed income and are going to have a major problem. And, my -- then -- and there's some good provisions in this and I -- I don't disagree with, at all, with Ira Silverstein. I mean, there's so much finger pointing going on and political posturing at every level. It's been very, very frustrating. We should have been doing this last spring. I mean, there was -- many of us who were advocates that this thing has got to be resolved before the doomsday. And now, unfortunately, it -- it is doomsday and we are trying to address this concern. I've been pretty consistent in my attitude about this legislation and approach we should take. I did not support the rate freeze. Didn't think it was a good idea. It -- all it's going to do is put us in worse situation in three years from now than we are today. And that's a big problem of why we're in the situation we are today, is because of the -- of the rate freeze. We should have probably handled that differently, ten years ago. We didn't. We're here. We're -- we have to do what we have to do. And I've -- and I agree completely that -- and as I say, there's some good provisions in here about a phase-in. You know, how -- how does this impact the consumer and our people that we represent? It was outrageous, outrageous that anybody would even consider that somebody's utility rate January 1st would go up forty, fifty percent in the Ameren territory and

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possibly up to twenty to twenty-five percent in Commonwealth Edison. Outrageous. We -- we should not be about that at all. But, now it gets to the point where, how does this impact the consumer from a different point of view and that's coming from the Ameren's point of view, James, and I -- and I know you're sensitive to that. But you put this amendment on today and I -- and I want to take it a little further. You were answering I think Dale Risinger's questions about what happens - or no, it was Dale Righter's questions - what happens if, in fact, the rates or the junk-bond status becomes reality. And, I understand, from the conversations that I've had with Ameren that, yes, indeed, Moody has said that this could very well force them into that category. What -- what happens at that point? I'd like more clarification on that. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

To answer your -- your question, Ameren has said with the provision in there they were going into junk status as the bill was last night. They said they were going into junk status last night. So, I mean, I -- I -- I guess the -- the point I'm making and they -- they -- they did say this morning that if it was in there then they may not go into junk status. So, I guess if they go into junk status then it -- it raises the cost of them to buy the power.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

And that's -- what I heard was the response that you gave to Senator Righter earlier. Okay. Now, if it raises the cost then what do they do?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Well, they -- they say they're many things that may happen. But I -- I mean I don't work for Ameren, so I can't exactly tell you what decisions that they will make. But I can tell you this, is that the -- the issue, Senator Watson, Frank, is, do we charge interest to our consumers as a phase-in or do we let that forty

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percent that you said was outrageous, that fifty percent you said was outrageous take effect? I mean, the cost to Commonwealth Edison is what, in -- in excess of two hundred and fifty-eight million dollars. And to Ameren is three hundred -- in excess of three hundred million dollars for not allowing them to charge interest on those years that they don't recover their -- the debt that they have to recover for phasing it in. I mean, that's the issue here. The issue is, do we stand up here and tell our constituents that we're going to allow them -- we're going to pass a bill to say it's okay to charge you interest for those years that you didn't pay the full amount. I mean, that's the -- that's the bottom line.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Well, I guess my point goes further than that is, you say it raises the cost of the power. So, that's the cost of doing business that's just gone up. I mean, how do you recover that other than by revenue? And now we're limiting the revenue on the other side. So, now you've got to go internally and make a decision as to what you do. Well, fourteen hundred people have already got layoff notices and the potential of being laid off by Ameren over the next several weeks, because they're going to be put into this -- this category, this status of possibly dealing with the junk-bond issue. And they can't go into the marketplace and borrow money, because they don't have the revenue to pay it back. It -- this is one of the reasons, truly, why this does not belong in this Body. It ought to be over here with the Illinois Commerce Commission who deals with this on a regular basis. Those people are the experts. I mean, we -- we sit here and we try to do what we think is right for the people of this State, and we end up with political documents in many cases that -- that don't solve anything and don't resolve the issue. And in some casesacerbate the whole problem for the future such as a rate -- rate freeze. So, I -- I just -- and -- and -- and another problem that we had and I've talked to the President of the Senate about this and he commented to me last night that, you know, we need to be working together in a bipartisan manner. And -- and I -- I said absolutely, you know, it needs to be a kinder,

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gentler Senate, as far as I'm concerned. Things need to change. There's no doubt about that. But we -- we were not part of the process. We were not in the room. We weren't given the opportunity to be -- to have input. And -- and to me that's -- that's unfortunate, because we -- we would have had some suggestions that might have given some support from this side of the aisle -- more than maybe it might get. So, I -- I just -- it's been frustrating. We should have done this last spring and should have been given the opportunity for more debate in the open, let -- let more opportunities for input and that hasn't happened. But, to the fourteen hundred people who are going to get those layoff -- notices -- fourteen hundred people who work for Ameren could very well get a layoff notice. Merry Christmas.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Emil Jones.

SENATOR E. JONES:

Yeah. Thank you, Mr. President. It's very unfortunate that we find ourselves in this position. And, this issue should not be debated in a political atmosphere. It's an issue that -- the framers of the constitution felt that decisions would have to be made. And, in their infinite wisdom, they decided that we would have a -- an independent commerce commission appointed, not elected, to make these decisions. Now, in the year 2006, thirty-six years later we have individuals for political gain and political purposes tagging onto this issue for their own gain recognizing that, in doing so, they're getting the consumers all riled up. You going to get all these services and things, not going to cost you anything. We should not be debating this issue. The professionals at the Illinois Commerce Commission debated this issue. They held hearings as a result of the ten-year freeze on rates. They held hearings. They had a professional staff that looked at everything. And, now some of those same individuals that participated in the constitutional convention said they don't know what they're doing, they know better. I've talked to some of you and -- the proposed rate freeze and the language that's in this bill, as it relate to the utility companies being able to opt out, their concern about their credit rating will drop, their concern about they'll be ranked down where you -- their bonds will become junk status,

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more or less. There's a bill pending in the House -- pending in the House that would have froze the rates for three years. It didn't change their credit ratings, the bonds were nipped. So, I -- I don't believe when they say that just a mere -- our mere action or introduction of this bill will reduce their bonds to junk-bond status. This is the responsible thing to do, to do nothing -- to do nothing, the rates will rise in January. I told the people from the utility company, I said, you guys entered into a bad deal ten years ago, which I was not part of. The previous President of the Senate, Speaker of the House, the utility companies and a few others came up with this decision, along with CUB. They made that decision, to freeze the rates for ten years. You're going to freeze the rates, knowing full well that in the year 2007 that cliff would be there. Someone has to pay. I -- I put -- I don't put too much credence in CUB, because they cut the deal and got seven million dollars out of it. Seven million dollars out of it. Now that that money has run out, now they change their tune. They want some more. They got seven million dollars out of the deal that was done ten years ago - if it was ten years, I'm not certain of the date. But, what I'm saying to you, that someone must pay. If the utility companies go along with that proposed irresponsible piece of legislation in the House, and we belly-up, they go bankrupt, the consumer is going to pay, not the taxpayers. The consumer of the -- of the - - the -- the electric rates in Illinois will pay. You saw what happened in California, so we're trying to be responsible. It is not a utility company bill. Some of you arguing in favor of the utility. I recognize that we must have reliable, responsible energy in Illinois. We don't want the blackouts. The bill is not designed to hurt, but at the same time, it's designed to help the consumers in the Ameren community that have received service of -- and their rates going up forty-five percent, those in the metropolitan Chicago, ComEd area and collar counties, where their rates are going up twenty-two percent. So we phase it in. To do nothing would cause the -- the twenty-two and forty-five percent to take effect in January. The House should act responsible and deal with this legislation when -- is -- if it is successful in passing. Deal with it today, if you're -- if you're concerned about the consumer. Spend a little time. Don't adjourn and run

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home. Stay there and deal with this legislation, is you're really concerned about the consumer. But you cannot have it both ways. You cannot on one hand say, I want to look out for the consumer and I want to also give utilities everything that they want. You cannot do that. You have a tough choice to make. If those of you who don't like the -- the Commerce Commission and you think you know more than what those professionals over there, then you join in all the rest and play into the cheers of the crowd. I mention this, 'cause it's tough decisions to be made. And those of us who are elected to serve in government must make tough decisions. Don't stand here and talk about that money in there for a pay raise on another bill, stand on this Floor -- but you did not say if it passed I'm not going to take the money, I'm not going to turn the money back in. You're going to pocket that money; be the first one in line to cash it. So -- let's stop playing games. This is a good bill. A reasonable bill that will protect the consumer from the shock of the sharp increase in the utility rates. I urge your Aye vote on this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. Because of the way that the proponents and opponents stacked up last night in committee from the witness slips that were filed, I need to put on the record that twenty years ago, before I was a Senator, I represented Commonwealth Edison in several structural work act matters including or stemming from the Braidwood Nuclear Power Plant. These were personal injury, not regulatory matters. I work at that same law firm today, a gigantic law firm with hundreds of attorneys. And over the course of our century-old practice, we have represented utilities but we've also been adverse to utilities, as well, mostly in labor and personal injury work. And, to my knowledge, my firm does no utility regulatory work. But, I want to put on the record any type of conflict of interest. But, I'll do here what I always do and that's vote, regardless of a former client's opinion, what is in the best interest of the residents of the twenty-fourth district and the State of Illinois' twelve million people. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Senator Jacobs.

SENATOR JACOBS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR JACOBS:

You know, the horse that we have nearest the door is not in the best shape. And today our choice becomes a choice between an unhealthy horse and no horse at all. And, while Senator Risinger hopes that the Kentucky Derby winner Barbaro walks in the room, do you believe Barbaro is going to trot into this room?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

No.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Senator Clayborne, to close.

SENATOR CLAYBORNE:

There -- there were -- thank you, Mr. President, and -- for all your -- everybody's comments, because this is an important bill. I mean, there were questions regarding CUB and -- and AARP and why they're not supporting it. But, we all know the -- the answer to that. The answer is that they want a three-year rate extension. So, that's why they're not supporting this. So, I'm surprised that that -- that that question came up. Again, the difference in this matter is very simple. If you look at the case that is filed before the -- the Illinois Commerce Commission and what they intend to do - both Commonwealth Edison as well as Ameren - the difference is that they -- well, Commonwealth Edison wants ten, ten, and ten; and Ameren wants -- they want interest. Both of them want interest. In fact, Commonwealth Edison wants it compounded. They want to compound interest over the course of the phase-in and Ameren wants to charge -- interest, as well. So, this -- the -- the -- the issues is simple. Do you move forward to make sure -- because one of the things that happens that -- that wasn't mentioned, in '08 they have to go out and buy another third of their power. So, we don't know what those rates are going to be. So, in the fourth year if they're charging

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interest and the rates go up, then we're looking around again and our constituents are coming at us, because we have not given them certainty in year four, five, and six. In this bill, it gives them certainty as to what their costs are going to be, and the ICC is still involved. ComEd will spend thirty-four million dollars -- about thirty-three million dollars as it relates to consumer education, LIHEAP, senior citizens and so forth to make sure that they're educated and they keep their lights on. Ameren will spend fifteen million dollars for the same educational programs. I think that it's very simple. And I believe that these companies can be creative enough - based upon them surviving the ten years - to find ways to make this system work, to make sure that they remain viable, that they provide reliable -- reliable services to our constituents, and, at the same time, ease the burden for our constituents. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 2197 pass. Those in favor will vote Aye. Those opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes No. Brady. Brady votes No. Burzynski. Burzynski votes No. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes No. DeLeo. DeLeo votes Aye. Del Valle. Demuzio. Demuzio votes Aye. Dillard. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hendon votes Aye. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes No. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes No. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes No. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Peterson. Peterson votes No. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger.

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Rauschenberger votes Aye. Righter. Righter votes No. Risinger.
Risinger votes No. Ronen. Ronen votes Aye. Roskam.
Rutherford. Rutherford votes No. Sandoval. Sandoval votes Aye.
Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye.
Sieben. Sieben votes No. Silverstein. Silverstein votes Aye.
Sullivan. Sullivan votes Aye. Syverson. Trotter. Trotter
votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes
No. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes No.
And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Pankau. We -- we -- we
did call your name, Senator, but we will have the record show
that you are voting No. Senator Dillard. Senator Dillard wishes
to be recorded as a Present. Senator Syverson. Senator Syverson
wishes to be recorded as No. Madam Secretary -- Madam Secretary,
please record Senator del Valle as Yes. Have all voted who wish?
Have all voted who wish? Have all voted who wish? Take the
record. On the question, there are 40 Ayes, 16 voting Nay, 1
voting Present. House Bill 2197, having received the required
constitutional majority, is declared passed. Illinois
Information Services seeks leave to videotape the -- the
proceedings. Permission is granted. Proceeding to House Bill
2708. Senator Emil Jones. Out of the record. House Bill 4344.
Senator Munoz. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4344.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Ladies and Gentlemen of the
Senate. House Bill 4344 simply allows Illinois to join the
Midwest Interstate Passenger Rail Compact. The main purposes of
the compact include: promotion, development, and implementation
of improvements and long-range plans for intercity passenger rail
service in the Midwest, coordination and interaction among
Midwest state officials and among the public and private sectors
at all levels, and additional support for current State efforts

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being conducted through State departments of transportation. Only two questions were asked in committee yesterday: Senator Garrett, concerning the definition of gift will be addressed by the Commission in their bylaws; Senator Radogno, regarding partisan make-up. We have currently, as of October 1, fourteen Republicans, three Democrats, four vacancies, and eleven nonpartisan. I know of no opposition and I'll attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 4344 pass. Those in favor will vote Aye. Those opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Bomke. Bomke votes Aye. Brady. Burzynski. Burzynski votes Aye. Clayborne. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Hendon. Hunter. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Radogno. Radogno votes Aye. Raoul. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes Aye. Risinger. Risinger votes Aye. Ronen. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Schoenberg. Shadid. Sieben. Sieben votes Aye. Silverstein. Sullivan. Sullivan votes Aye. Syverson. Syverson votes Aye. Trotter. Viverito. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Have all voted who wish? Senator Petka, for what purpose do you seek recognition? Senator Petka wishes to be recorded as Aye. Senator Brady. Madam Secretary, record Senator Brady as voting Aye. Senator Axley. Please record Senator Axley as Aye. Senator Meeks. Please record Senator Meeks as Aye. Senator Harmon. Record Senator Harmon Aye. Senator Hendon. Record Senator Hendon Aye. Senator Shadid. Record Senator Shadid Aye. Senator Lauzen. Record Senator Lauzen Aye. Have all voted who wish? Have all voted who wish? Senator Hunter. Please record Senator Hunter as voting Aye. Have all voted who wish? Take the record. On the question, there are 50 Ayes, no Nays, none voting Present. House Bill 4344, having received the required constitutional majority, is declared passed. House Bill 4804. Senator Dillard. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4804.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. There's no doubt that after the aftermath of Hurricane Katrina that we need to have better disaster plans in all our states. And this one would -- my bill would allow the Department of Emergency Management here in Illinois to have a plan on how to deal with the aftermath of disasters with respect to pet-evacuation plans. I think we can all remember, in those terrible photos and images from Hurricane Katrina, images of children crying because they didn't want to leave their dogs or cats behind. And, I remember one image of a woman, a senior citizen, floating on top of a refrigerator because she would not get onto the evacuation boat 'cause she wouldn't leave her cat. Animals, also as we learned in Hurricane Katrina, the carcasses of animals present massive health problems. And this will just follow what the federal government has done recently and say that in our State emergency plan there has to be a plan for how we're going to handle people with pets. And I'd move and urge a -- a passage of this bill. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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Is there any discussion? Seeing none, the question is, shall House Bill 4804 pass. Those in favor will vote Aye. Those opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Clayborne. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes Aye. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes Aye. Syverson. Trotter. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Munoz, for what purpose do you seek recognition? Madam Secretary, record Senator Munoz as voting Aye. Senator Clayborne. Record Senator Clayborne as voting Aye. Senator Hendon. Record Senator Hendon as voting Aye. Senator Syverson. Record Senator Syverson as voting Aye. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 53 Ayes, no Nays, none voting Present. House Bill 4804, having received the required

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constitutional majority, is declared passed. On House Bill 4895.
Senator Meeks. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 4895.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks.

SENATOR MEEKS:

Yes. This is a simple bill for the City of South Holland that extends a TIF district. And everybody signed off on it -- the schools. And it extends the TIF district for another twelve years. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. I just would like to report, especially to the Republican Members of the Senate that this has passed through the Revenue Committee. I have done some research on the bill calling back to the school district and everybody has the long view of trying to grow the pot rather than being worried about what percentage of the pot. So, I rise in support. One of the things that I would suggest that we think about between now and when we gather back together in January in the spring Session for the next General Assembly is, the role that TIFs play in school funding. I believe that we're going to be asked to extend larger TIFs in Chicago which are literally worth tens, if not hundreds of millions of dollars, that go now directed to City Hall rather than Chicago public schools. And especially for all of us who are most concerned about good education for all children no matter where they live in the State of Illinois, and where we're searching for resources that is a very natural place to start. Especially when we read in the Chicago Tribune that the LaSalle Street area is being considered for a TIF district where over the life of the TIF one billion dollars will go to City Hall rather than to Chicago public schools. We really should think about that and prepare for that debate that's coming up. On this bill, I...

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Meeks. Senator Meeks, to close.

SENATOR MEEKS:

I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall House Bill 4895 pass. Those in favor will vote Aye. Those opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hendon votes Aye. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Rauschenberger. Righter. Righter votes Aye. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Schoenberg. Schoenberg votes Aye. Shadid. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Wilhelmi. Pardon me, Senator Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Raoul. Record Senator Raoul as Aye. Senator Shadid. Record Senator Shadid as Aye.

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Senator John Sullivan. Record Senator John Sullivan as Aye. Senator Luechtefeld. Record Senator Luechtefeld as Aye. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 54 Ayes, no Nays, none voting Present. House Bill 4895, having received the constitutional majority, is declared passed. Turning to the top of page 3, House Bill 5475. Senator Harmon. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Bill 5475.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5475, like the last bill, is a TIF extension - this for the Village of Franklin Park. The school districts and other local governments are all in support, and I would ask for your Aye votes.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 5475 pass. Those in favor will vote Aye. Those opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Demuzio. Demuzio votes Aye. How about Senator del Valle? Del Valle votes Aye. Dillard. Dillard votes Aye. Forby. Garrett. Geo-Karis. That is Garrett votes Aye. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez

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votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Righter. Righter votes Aye. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Syverson. Syverson votes Aye. Trotter. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel -- Winkel votes Aye. And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Lightford. Please record Senator Lightford as an Aye. Have all voted who wish? Have all voted who wish? Senator Sullivan. Senator Sullivan wishes to be recorded as Aye. Take the record. On the question, there are 51 Ayes, no Nays, none voting Present. House Bill 5475, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we are proceeding to Secretary's Desk, Concurrences, and with leave of the Body, we will go to Senate Bill 1268. On the Order of Concurrence is Senate Bill 1268. Senator Lightford, do you wish to proceed? Madam Secretary, please read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 1268.

Motion filed by Senator Halvorson.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Senator Lightford, to explain the motion.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Amendment No. 3 to Senate Bill 1268 is actually the Minimum Wage Law. It -- which would increase the minimum wage current law and it actually supplements the bill that we sent over that was held up in Rules. So this is the bill that was sent back over to us and there are a couple changes that I just want to bring to your attention from what was originally

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passed over. The minimum wage would increase by one dollar from six fifty to seven fifty an hour, beginning July 1st of 2007. We had initially wanted a COLA to be there to go in effect every year at the urban rate of index. Well, what actually this bill does is allow a twenty-five-cent increase beginning July 1 of '08, which would raise the wage to seven seventy-five, another quarter, on July 1 of '09 to eight dollars. Then on 2010, eight dollars and twenty-five cents and then there'll be a sunset provision there where, it would freeze at eight dollars and twenty-five cents. There's also a provision in here that creates a ninety-day probationary period for which employers may pay workers fifty cents less than the current minimum wage until the employee has completed a ninety-days of employment training and it also made clear that employees under the age of eighteen are subject to the learners' wage and are subject to the most recent minimum wage provision, which means eighteen and under would also be paid fifty cents less than the actual wage. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Pankau.

SENATOR PANKAU:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR PANKAU:

Will you also talk a little bit about the ninety-day training period that would allow fifty cents less than the minimum wage? And I believe in committee, you also mentioned something that -- a trailer bill that you felt was going to be coming in January, and specifically what would that address?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Well there's a concern that the ninety-day training period would affect day laborers, individuals, so what would happen is every ninety days the company will just hire someone new, instead of giving the same employees the opportunity to stay on, because then they could pay them fifty cents less. So, for legislative intent, I'd like to read some information into the record to

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clarify what the intent of this legislation is to do. And then there will be a trailer bill coming in January to make sure that that isn't the loophole that will cause companies to be able to do that. And -- and so I think the concern here is that we want to make sure that this legislation is not an -- an attempt to create a sub-minimum wage for contingent workers or in any way to prevent temporary workers or street corner day laborers from receiving the same minimum wage as workers who have completed the ninety-day period. And I want to bring your attention to Section {sic} (Sec.) 4, sub-paragraph No. (2), regarding the -- probationary wage provision. First, if an employee is working for a day- and temporary-staffing agency, and is assigned to work at a multiple companies, that employee is not to be considered to be a new employee at each company that they go to. That employee's employment will begin from the point the employee began working at the day- and temporary-staffing agency for purposes of this amendment. And, also employees who work at a single company, but through multiple day- and temporary-staff agencies or is switched back and forth between a company and staffing agency, the employee will be a continuous employee of the company and staffing agency for purposes of this amendment. And finally, it is not the intent of the General Assembly to create an incentive for employers to displace workers after the ninety-day period solely to replace the worker with a new worker who they can then pay lower wages for another ninety days, nor is it the intent of this amendment to create a loophole -- whereby employees can attempt to create a class of what we would consider "permanent employees in training". So, we will be addressing that issue in January.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Pankau.

SENATOR PANKAU:

...one more question. Those that remain opposed are still the IMA and the NFIB? Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford.

SENATOR LIGHTFORD:

Well, the only opponent who filed for it -- this amendment was actually United Food and Commercial Workers. The retailers

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and the merchants didn't file in -- in opposition to this amendment, and UFCW was very upset with the fact that we were considering our youth as -- unpaid -- or less pay workers, that we were actually not paying them equal pay for the job that they do as we fought really hard for equal pay for women and -- and they feel - and I agree - that if you do the same job, you should get paid the same work -- wages, regardless if you're elderly or a young person. So that was their opposition.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Pankau.

SENATOR PANKAU:

And then to the bill, Mr. President. The -- this is not the bill that we sent over to the House. So, please don't be confused with what was originally sent over. This is not the same bill. It does -- for those who were concerned over the -- the provisions for teenage workers, that has been put back into this bill. For those who were concerned about the incremental increases, that has been taken out and now there is a step program in the bill. For those who were concerned about new hires, there is the provision that was just explained before. For those that were still concerned over the -- the competition between states, who might be on border areas, and are hoping that and looking towards a federal solution, that is not in this bill. For those that are still concerned about disabled people, that is not in this bill. So I urge you to consider your district and vote accordingly. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Senator Winkel. Can we get a microphone to Senator Winkel, please?

SENATOR WINKEL:

...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates she will yield.

SENATOR WINKEL:

I -- I haven't really had chance to thoroughly review the bill and understand all of its ramifications and I understand, obviously, it has to do with minimum wage. But, there's also language in here that talks about a probationary period. My concern is that that might create an expectation that may alter

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the at-will employment relationship. Typically in an at-will employment relationship, the employee is there without a contract, there's no term, the -- the employee can leave whenever he or she wants to or that they can be discharged at any time. So, they're not there under a contract for a certain amount of time and they can be let go for good cause, no cause, any cause. That -- you don't have to have just -- just cause to let somebody go or to lay them off. Is it your intention with the probationary language in -- in this minimum wage bill to any way alter the at-will employment relationship?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford. Senator Winkel.

SENATOR WINKEL:

'Cause I -- I think that that would be an unintended consequence. That's certainly not your intention, as I understand your explanation of the bill, that that would not in any way, if this were to become law, change that at-will employment status. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lightford, we didn't record your answer to the question.

SENATOR LIGHTFORD:

Right. And I'll be just really brief. That's no way near the intent. It's just more of an incentive, actually, if you're in a ninety-day training period. You know after ninety days you will receive a fifty-cent increase that will take you to the minimum wage. It's more of an incentive. I don't know that I agree with it, that I like it, but I have to think about all of the other hundreds of thousands of people across the State of Illinois who needs a higher minimum wage. And, I know that with the dollar increase going straight to seven dollars and fifty cents, the quarter thereafter will be very helpful in a lot of households. And so I am just going to stay focused on all the great things that this bill will do and work really hard to make sure that the intention of the other areas is -- is rectified come January.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Seeing none, this is final action. The question is, shall the Senate concur in House

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Amendment No. 3 to Senate Bill 1268. All those in favor will vote Aye. Opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes No. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes No. Burzynski. Burzynski votes No. Clayborne. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes No. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hendon votes Aye. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes No. Wendell Jones. Wendell Jones votes No. Lauzen. Lauzen votes No. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld -- Luechtefeld votes No. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes No. Petka. Petka votes No. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes No. Righter. Righter votes No. Risinger. Risinger votes No. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes No. Sandoval. Sandoval votes Aye. ...Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes No. Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes Aye. Syverson. Syverson votes No. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes No. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Clayborne. Please record Senator Clayborne as voting Aye. Have all voted who wish? Have all voted who wish? Take -- take -- take the record. On the question, there are 40 voting Yea, 17 voting Nay, and none voting Present. Senate Bill 1268, having received the required constitutional majority, is declared passed. Senator Schoenberg, on Senate Bill 1453. Madam Secretary, read the bill. With --

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Senator Schoenberg... Excuse me. With leave of the Body, we're going back to the top of the order to -- to Senate Bill 36. Senator Martinez. Madam Secretary, read the bill. Read the motions, Madam Secretary.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 36.

Motion filed by Senator Martinez.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Martinez, on Senate Bill 36.

SENATOR MARTINEZ:

Thank you, Mr. -- Mr. President. The House Amendment No. 2 to Senate Bill 36 becomes the bill. It requires that labor organizations officials and employees be allowed to establish service credit for prior employment. It also provides that a officer or an employee of the statewide teacher organization or officers of a national teacher organization, who is a certified teacher, may establish service credit. It also provides a person employed by the Macon-Piatt Regional Office of Education in a birth-through-age-three pilot program receiving funds under Section 2-389 of School Code who is required by the Macon-Piatt Regional Office of Education to hold a teaching certificate to establish service credit. And it also permits that if a teacher transfers from one board or administrative agent to the control of a new or different board or administrative agent, such a change in employment shall be retroactively applied in -- to June 1st, 2005. I will be happy to answer any other questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President, just as a proponent of the Senator's action here. I have a group in Decatur called Baby TALK and it's a birth-to-three group. Does fantastic work. Their -- their process and what they do is emulated all over this State, of this country, even Canada. They do great work and, unfortunately, what's happened is twenty of the teachers who participate in this are certified teachers, work for Macon-Piatt County Regional Office of Education. The -- TRS has determined that they're not eligible to be participants in this -- in the

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system in which they've been contributing for the last twenty-some years. And they're asking -- they're -- they're suggesting that they be removed. This corrects that and it's the right thing to do for good people providing a great service for those involved in the birth-to-three program in Decatur and throughout this State. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is -- any further discussion? Okay. This is... Senator Lauzen.

SENATOR LAUZEN:

Thank you. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR LAUZEN:

You know, on -- on the surface everything seems to be okay on the bill. Many of us, I'm sure the -- the sponsor included, is concerned about the unfunded liability. Can you share with us, is there unfunded liability in this bill? And if so, how much?

SENATOR MARTINEZ:

No. It does not have any unfunded liability. It's a great bill. I'm cosponsor with Senator Watson. It's a great day.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 36. All those in favor will vote Aye. Opposed, Nay. Madam Secretary, please call the roll.

SECRETARY HAWKER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Burzynski votes Aye. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell

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Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford.
Lightford votes Aye. Link. Link votes Aye. Luechtefeld.
Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes
Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye.
Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau.
Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka
votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes
Aye. Rauschenberger. Rauschenberger votes Aye. Righter.
Righter votes Aye. Risinger. Risinger votes Present. Ronen.
Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye.
Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes
Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye.
Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes
Aye. Syverson. Syverson votes Aye. Trotter. Trotter votes
Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye.
Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And
Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Demuzio. Please record
Senator Demuzio as voting Aye. Have all voted who wish? Have
all voted who wish? Take the record. On the question, there are
55 Ayes, no Nays, 1 voting Present. The Senate concurs in House
Amendments 1 and 2 to Senate Bill 36. And the bill, having
received the required constitutional majority, is declared
passed. Senator Cronin, on Senate Bill 380. Madam Secretary,
read the motion.

SECRETARY HAWKER:

I move to concur with the House in the adoption of their
Amendment No. 1 to Senate Bill 380.

Motion filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

Thank -- thank you, Mr. President. I rise in support of a -
- a motion to concur in amendments that were in a House Floor
Amendment No. 1 that has five components. First and foremost, it
seeks to exempt Ford Heights School District 169 from the tax
caps in Cook County, and allows for a supplemental tax levy in
'06, '07 and '08. This is a extraordinary measure for an

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extraordinary circumstance, and we can talk about that in a moment. The Village of Forsyth is -- is impacted by this bill and it -- permits them to use a voter-approved non-home rule sales tax for school construction - sort of a creative way to figure out how to do some school construction. Item three here, is a issue that's very important to Senator Harmon, Senator Lightford and myself. And it allows the school boards of Oak Park and River Forest School District 200, Oak Park's Elementary District 97 and River Forest School District 90 to - by proper resolution - to withdraw from the jurisdiction and the authority of the trustees of schools of Proviso and Cicero townships. Next item is Oswego Community Unit School District 308, exempt from the statutory debt limitation to issue bonds. And finally, Lincoln-Way Community High School District 210 is impacted to permit them to be exempt from statutory debt limitations. This is all very necessary and important legislation. I'd be happy to answer questions. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you very much, Mr. President. Briefly, to the bill. I simply rise to advise the Members of both sides of the aisle that the legislation, certainly well-intended, I have high respect, obviously, for the sponsor, does provide for new exceptions to the tax caps and does also provide for a backdoor referendum. For those of you who are concerned about that issue, not so much on a district by district basis, but more on a statewide basis, you should be aware of that when you cast your vote. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Following up on Senator Righter's -- I have a question for the sponsor.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor will yield.

SENATOR LAUZEN:

Senator, you know, and that is, this is all part of this process of putting together legislation. I don't think in all

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the time that I've been here in fourteen years I have ever voted for an exception on the tax cap. But naturally, I have one of my school districts in Oswego that has -- I know it hurts me. It's -- it hurts. Allow me to ask my question. It's four hundred and fifty million dollars worth of building - four hundred and fifty million dollars of building. Is the Ford Heights the only exception to the tax cap or is this spread over more than that one? Can you describe how serious this exception is?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cronin.

SENATOR CRONIN:

I think Ford Heights is the only exception in this bill and there are some extraordinary circumstances. Senator Meeks represents the area. It's a very, very economically challenged region. The major industry in that area is a Ford plant that's located at 130th and Torrence. You know that the property tax appeal process in Cook County is rather convoluted and frequently has a very adverse -- impact on school districts. They appealed their assessment as Ford Motor Company they were given a -- a -- a -- a huge revised assessment value to the tune of a hundred and twenty-seven - 1.2 million. That was the impact on Ford Heights. In any event, the alternatives are -- are very few. And, I suspect, if we don't take this extraordinary measure, I believe that Ford Heights School District will be back down here seeking a State bailout. You know, the lesser of two evils is to allow the locals to try to deal with this problem, and I think this is an appropriate measure.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Senator Garrett.

SENATOR GARRETT:

Yes. I'd like to speak to the issue and I guess primarily to the bill that the reason that this is a problem and Ford Heights is experiencing this shortfall is that the appeals process - the way it works in Cook County - is quite faulty. The school districts don't have any clue that there is going to be an appeal on the property taxes and so they find out after the fact, and many of these corporations are filing these appeals at -- one after another, after another. The schools don't know. They're trying to plan for the future and then they find out that the

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appeal, in this case by Ford Motor Company, was won and the school districts are then less -- you know, they're out of their tax revenue. This is a very serious issue. We tried to bring up a bill last year to address it. Part of it comes with disclosure, that school districts would have that information so they could, in fact plan. But, the way the law reads now, they don't even know this is happening. So, again, I will reintroduce a bill to try to correct this, because what is happening in Ford Heights is going to continue to happen over and over again. In my district, in Northbrook, Allstate was doing this over and over again and school districts have just come up way too short for way too long.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Any further discussion? Senator Cronin, to close.

SENATOR CRONIN:

Thank -- thank you. Yes, this is an extraordinary measure, but it's an extraordinary circumstance. I am reliably informed that Ford Heights School District will run out of money in January. And, I firmly believe that they would be back down here seeking something that some of us may find even more difficult to -- to embrace. So, in any event, these are -- these are necessary, essential and this is why we're elected - to make the tough choices. So please I urge your Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 380. All those in favor will vote Aye. Opposed, Nay. Mr. Secretary, please call the roll.

ACTING SECRETARY KAISER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes No. Brady. Brady votes Aye. Burzynski. Burzynski votes No. Clayborne. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes

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Aye. John Jones. John Jones votes No. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes No. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes No. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes No. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. And Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Clayborne. Please record Senator Clayborne as voting Aye. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 48 Ayes, 6 Nays, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 380. And the bill, having received the required constitutional majority, is declared passed. Senator Cullerton, on Senate Bill 505. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption their Amendments Numbered 1 and 2 to Senate Bill 505.

Signed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill deals with two restaurants in Chicago, dealing with their liquor license, because they are within a hundred feet of a school or a church. We have passed both of these in separate bills. One is for Senator Iris Martinez's district and one is for mine. The

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House chose to put 'em both in the same bill. As you may recall, for some reason our State law for every city other than Chicago there is no limitation. You can have a liquor license within a hundred feet of a school or church. For some reason, in Chicago you have to come to the Legislature and ask its permission. In both cases, there's support from the community. In the case of the one in my district the alderman has asked for this. There's no opposition from the -- the -- the -- the school, which it's near, and the same thing is true in Senator Martinez's area. The -- it's a Leona's Restaurant. It has support of the community and the church that's across the street. So, I would ask for your vote. It has an immediate effective date, and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? This is final action. The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 505. Those in favor will vote Aye. Opposed, Nay. Mr. Secretary, please call the roll.

ACTING SECRETARY KAISER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes No. Brady. Burzynski. Burzynski votes No. Clayborne. Collins. Collins votes Aye. Cronin. Cronin votes Aye. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes No. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes No. Garrett. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes No. Wendell Jones. Wendell Jones votes No. Lauzen. Lauzen votes No. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes No. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval.

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Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Have all voted who wish? Take the record. Senator... Excuse me, we have to go back. There are some people who haven't voted. Senator Brady. Senator Brady wishes to be recorded as No. Is there anyone else? Senator Collins. Senator Collins wants to be recorded as No. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 42 Ayes, 10 Nays, none voting Present. The Senate concurs in House Amendments 1 and 2 to Senate Bill 505. And the bill, having received the required constitutional majority, is declared passed. Senator Harmon, on Senate Bill 716. Senator Trotter, on Senate Bill 821. On the Order of Concurrence is Senate Bill 821. Senator Trotter, do you wish to proceed? Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 821.
Filed by Senator Trotter.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

On Senate {sic} -- Amendment No. 1, we're going to basically table Senate -- Senate {sic} Amendment No. 1 and Senate {sic} Amendment No. 2 -- becomes the bill. Okay. I concur.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, for the record, is your motion to concur on all three amendments? Okay. Let -- let the record so reflect that the motion is to concur on -- on Amendments 1, 2 and 3?

SENATOR TROTTER:

That's correct.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Senator Trotter, to explain your motion.

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SENATOR TROTTER:

If you could, as I said, we are going to table Senate {sic} Amendment No. 1. Senate {sic} Amendment No. 2 becomes the bill. Senate {sic} Amendment No. 3 is a technical amendment. I can explain the bill now or wait until it goes back on 3rd. Is that where we are?

PRESIDING OFFICER: (SENATOR DEL VALLE)

I think, Senator, this is a motion to concur.

SENATOR TROTTER:

This is concur?

PRESIDING OFFICER: (SENATOR DEL VALLE)

You can explain your motion.

SENATOR TROTTER:

Okay. Okay. Thank you. Well this what -- what the motion does, it creates the Riverdale Development Authority Act. It creates a five-member board, consisting of three members appointed by the Mayor of Riverdale and two by the Governor. Riverdale is a community that has approximately twelve-hundred acres. This gives the Authority the ability to issue up to two-hundred-million dollars in revenue bonds.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. First, inquiry of the Chair. There was some discussion going back and forth between the sponsor and the Chair, regarding tabling amendments and whatnot. I want to make sure that everyone's clear on the procedural status of the bill. This is a -- this is currently pending now as a motion to concur in all three House amendments, are part of the motion? Is that right?

PRESIDING OFFICER: (SENATOR DEL VALLE)

That's correct, Senator. That's correct.

SENATOR RIGHTER:

Okay. Thank you. A second inquiry of the Chair, if I might. Does this bill require thirty-six votes for passage? It's our understanding the bill carries an immediate effective date.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator, this bill does require thirty-six votes. Senator

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Althoff.

SENATOR ALTHOFF:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR ALTHOFF:

Senator, I had asked in committee, are -- are you aware of what the monies will be used? What project is possibly the Village of Riverdale is considering?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Senator, no, I do not. I know a portion of the dollars will be spent for the remediation of the land. This is a brownfield area. So the extensive work needs to be done before they can begin any phases of operation.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

Thank you. I actually took the time and trouble to contact the Village of Riverdale this morning and spoke with their economic development coordinator. And just for the Body's information, the Village of Riverdale has for the past four years been applying for grant dollars, receiving them from the federal government in reference to the cleanup of this area. They have done assessments to try and determine exactly how contaminated this land is. In addition, this property that's in question for the two-hundred-million dollars of authorization for bonding is one of the only areas in the State of Illinois where four of the five Class I railroads merge. This is an opportunity for the Village of Riverdale to truly look and enhance, not only the village, but transportation and distribution of goods within the State of Illinois. So I don't think it's just for the Village of Riverdale. I think this has major ramifications. It is being regulated by the Illinois Finance Authority and after doing a huge amount of research, and I'm understanding - my last question - this -- this does not give the Village of -- Riverdale or any other authority taxing power. Correct? This is only for bonding.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

That is correct. In addition to that, different to make this -- the Riverdale Development Authority different from the Upper Illinois River Valley Development Authority and the Quad Cities Regional (Economic) Development Authority and the Will-Kankakee Development Authority is that they do not -- we -- the State is not on the hook for anymore obligation for the bonding authority. So, again, it is clear. Thank you for doing my homework for me...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

I stand in support of this legislation and would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. Oh, I'm sorry. Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just for general information, and maybe I -- I could ask the sponsor for a -- you know, his point of view on this. I understand that there are eleven of these development authorities across the State - Central, Eastern, Joliet Arsenal, Tri-County River, Western, Will-Kankakee. And, if you take a look at what the typical amount of the bonding authority that these different development authorities have, on average it's about a hundred and ninety million. And so, you know, looking at two hundred million, you'd say, well that's -- that's pretty consistent with what existing development authorities are. However, when you take a look at the population that are covered, on average, by the other -- other eleven development authorities, there's four hundred and fifty thousand people in each of those - about four hundred and fifty thousand - half a million people. That means that the average bond per person in the bond authorities is about four hundred dollars per person. You say, okay, four hundred dollars, you know, I -- I understand what we're talking about when we're talking those kinds of numbers. In -- in this Senate Bill 821, in Riverdale, the entire Riverdale population is about fifteen thousand -

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fourteen thousand five hundred people - so about fifteen thousand people, which means that the bonding authority is going to be fourteen thousand dollars per person there, or about thirty-five times bigger than the average development authority power. Do you have any comment on -- I mean, this seems, especially when we combine that with -- five people are going to have the authority to make these decisions - five people can encumber folks for twenty to thirty years to pay back debt at fourteen thousand per -- per capita. Three are appointed by the Mayor, two by the Governor. Could you give us some thoughts on that?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much. I need to begin, again, by thanking Senator Althoff because she essentially answered your question. This is not just for the City of Riverdale. This is a regional project that is going to be taken up -- undertaken by these individuals. It's for the whole southwest side of -- of the northern Illinois, which, and if you want to include, since Riverdale is just right outside of Chicago, and we're talking about people who will be impacted on this are in the millions, and not in just a couple hundred thousand as you point out for your region. This being a major train hub for years. To revitalize this, can have tremendous impact on the economy for the City of Chicago, inclusive to these south suburbs where it's -- it's sitting, itself.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. A -- a couple of comments and a quick question for the sponsor that I'm sure he can answer. We know that this isn't your bill, this came from the House, I think, and it -- it's -- it's pretty young, you know, it hasn't been on the vine very long. So, it's one of those maybe we ought to think just a little bit about. As I understand it looking at the -- the metes and bounds in the description, this is -- is placed interestingly enough between Route 57 and 94 and it's a major rail hub, but it also includes frontage or access on the, I think, the -- the

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Calumet River. Is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

It's either the Calumet River or the Little Calumet. I know they're -- they're both there - intersection.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

And -- and so, I guess, you know, as -- as a lot of us worry about things kind of popping out very late in the Veto Session, particularly with our sometimes not dependable friends over in the Old State Capitol. There are some people who are concerned that this might actually be the precedent stage to a Chicago or to a casino in the south suburbs that the location is chosen, because it -- it -- it strategically fits between two interstates, it's got very good road access and it's on the river. And if it's -- that's the purpose, I just think we need to -- to make sure Members understand that this might be what -- what's going on. It's an extraordinarily large bonding authority for a relatively small community. Did -- did you get any insight at all from the House sponsors about whether there is a -- a plan, over time, for this to be a competitor for a new casino site?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Trotter.

SENATOR TROTTER:

I -- I did speak to the Senator of the sponsor - of the House sponsor and he had no idea that this might have been one of those considerations. I mean, I know it's Christmastime and we all think that we're -- there's going to be some Christmas presents, going to be -- be someplace, but this isn't one of 'em that we know of and -- and certainly the Mayor of my City who is contemplating a -- a boat or at least a casino hasn't authorized me to carry any bills for anybody else to -- to get one.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Senator Trotter, to close.

SENATOR TROTTER:

I -- I just ask for a -- a Aye vote, please.

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PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is, shall Senate concur in House Amendments 1, 2 and 3 to Senate Bill 821. All those in favor will vote Aye. Opposed, Nay. Mr. Secretary, please call the roll.

ACTING SECRETARY KAISER:

...Althoff votes Aye. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Burzynski votes No. Clayborne. Collins. Collins votes Aye. Cronin. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. DeLeo votes Aye. Del Valle. Del Valle votes Aye. Demuzio. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes No. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes No. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes No. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes No. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes No. Righter. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg... Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. Mr. President.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Schoenberg. Record Senator Schoenberg as Aye. Senator Demuzio. Please record Senator Demuzio as Aye. Senator Sullivan. Please record Senator Sullivan as Aye. Senator Righter. Please record Senator Righter as Aye. Senator Clayborne. Please record Senator Clayborne as Aye. Have all voted who wish? Have all voted who wish? Take

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the record. On the question, there are -- 48 Ayes, 6 Nays, none voting Present. The Senate concurs in House Amendments 1, 2 and 3 to Senate Bill 821. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 858. Senator Collins. Senator Collins, on Senate Bill 858. Proceeding to page 5, Senate Bill 1453. Senator Schoenberg. On the Order of Concurrence is Senate Bill 1453. Do you wish to proceed? Mr. Secretary, please read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1453.

Signed by Senator Schoenberg.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I ask that you concur with House -- with Amendment No. 1 to Senate Bill 1453, which is a direct response to a challenge issued by the appellate court within this past year on -- on clarifying what our intent is for the use of qualifications-based selection for design professionals within the Local Government Professional Services Selection Act. I -- I know that we -- the Act which -- which provides a ensurance and a firewall for greater accountability and predictability in the level of quality that would be provided by design professionals, such as architects and engineers, in public construction projects. The court ruled that the statute had been silent and recommended that we make the local government portion of the statute consistent - that we needed to -- be the ones to act to make the local government Section of the statute consistent with what we are doing on a State level, what's being done on a federal level and what's being done in forty-six other states. The -- in short, the qualifications-based selection process places a greater weight in premium, on qualifications, and track records of design professionals. It does indeed factor in cost, but it is not weighted the way the opponents would like it to be, which is to be primarily based on cost. By doing it this way, we will ensure that all public buildings in local political subdivisions will meet the same high standards that we enjoy for our capital

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projects on the State level, on the federal level, and forty-five other states. So I would urge that we concur with this amendment. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Senator Risinger.

SENATOR RISINGER:

Yeah, I stand in support of these -- amendment. I -- happen to work in the arena of -- of -- of being a professional engineer for the last thirty-five years before coming to the Senate. I also stood in a position to advise local governments on -- on issues of qualified -- design professionals. In 1993, a Blue Ribbon Auditor General's Committee confirmed that this is the best procurement procedure of designs. And let me tell you, the cost of the design is small compared to the cost of construction. A superior design can save governments a -- a lot of money in the long run with -- and provide for quality construction. So I do stand in support of this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any further discussion? Senator Righter.

SENATOR RIGHTER:

...you. Mr. President, will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Sponsor indicates he will yield.

SENATOR RIGHTER:

Thank you. Senator Schoenberg, what is -- to you, what is the virtue of the quality-based selection process? If this bill becomes law, I go back to my district and someone asks me, "Why is this a good thing?" What would you suggest that I tell them?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

What you -- first of all, what should tell them is that this is the -- this is the accepted method that we have been using, not only for the past twenty years, in ensuring a high standard of integrity and professional qualification for design professionals for public capital projects, but that this is recommended as the gold standard way of proceeding by the American Bar Association's Model Procurement Code. Senator Risinger had alluded to a 1993 Blue Ribbon Commission that the

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Auditor General put together. I served on that commission and we almost -- and all the recommendations by that commission were to adopt those higher standards for accountability in contracting for competitive bidding and for competitive selection processes. So what you can tell your constituents, in short, is that we wish to continue to maintain the high standard of accountability and transparency in track record and professional qualifications for those who bid in the professional selection process.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Mr. President. Senator Schoenberg, does the bill create an exemption for home rule communities?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

There's a home rule exemption, as there was a home rule exemption prior to the court challenge. So this essentially re-codifies into law these high existing standards which we've been using.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Mr. President. I understand that, Senator Schoenberg, but I'm sure, as you would agree, sometimes the courts give us an opportunity to come back and do things better. And, I'm concerned about the home rule issue in this bill. You have quite eloquently stated the virtue of imposing quality-based selection on local government officials and telling them this is the way you're going to do it, because this is the best way to ensure, not just quality, but safety, in the structures you're designing. Why is it that that quality and safety is less important in home rule municipalities than in non-home rule municipalities?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

That's not addressed in the court decision. Interestingly enough, in the court -- in the court's decision - on the appellate court basis, the majority of the decision actually

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talks about the fact that local political subdivisions wish that they are -- wish to be different than the political divisions that we have, whether it's a four-year college or university, whether it's a State agency. The home rule exemption is a constitutional -- the home rule issue is a constitutional issue that is not addressed within here. What we're seeking -- in early of this -- early of this year, a -- early this year, the appellate court said it's silent on the need to codify into law the -- what the existing practice has been, so what we're doing is responding to the courts.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Mr. President. But, Senator Schoenberg, you're a sponsor of the bill and you can respond in whatever way you -- you deem appropriate. And I guess maybe I wasn't clear on the first time. I'll ask again, what is it about quality-based selection that is so virtuous for non-home rule communities that you deem is not that important for home rule communities? Because that's what this bill says.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

Quality -- a -- a quality-based selection criteria and the scoring systems and the payment system -- and the payment systems -- the rate schedules for home rule communities are being adopted by home rule communities. Those very standards which are being set on the State level. If I -- if -- if I were to have home rule in here, I would not be specifically addressing the shortcoming that the appellate court asked us to -- asked us to remediate. And that's really my intention. My intention is to provide the clarity that the court asked the Legislature, and no one else, including the courts, to decide.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Righter.

SENATOR RIGHTER:

Thank you. Mr. President, to the bill. First, Senator Schoenberg, my compliments in bobbing and weaving your way through the questions that I asked with regards to this issue.

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You did a nice job and in the interest of time, I'll try to answer the question myself. There's only two reasons why this can be so good for non-home rule municipalities and less important for home rule municipalities, either because the Chicago or Cook County wanted to be carved out and the Senator can't get the votes on the bill with them opposed to it or, for some reason, we are trying to send the message that the people who govern the smaller towns and the smaller municipalities in this State need to be told by Springfield how to go about selecting professional services providers, whereas those who govern the larger areas in this State are smart enough or sharp enough to figure it out on their own. I don't like either one of the messages that this bill implies. And, while I believe that QBS is clearly the best way to go about this, I think it's clearly the best for every municipality in this State, not just the non-home rule communities. Thank you...

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. I believe that I support your bill to the sponsor, and so -- so certainly as the sponsor has laid out, high quality is very important. And -- and folks back home, when they think about what we're saying on the Senate Floor today, they'd say, "Yeah, the public facilities that are built are of a high quality. It's just that we have to pay so much for 'em." So they don't -- they -- I -- I would think that they would agree that there's a high quality standard that we want to protect. They're just saying, "Gee whiz, Chris, why does it cost so much more to build that school, build that, you know, beautiful city hall?" You know, we just seem to spend so much more money than private. Then when you go about the private, you think, well, what's the process? When we buy something or build something, you know, in the private sector, you know, you talk about price right away, but it's also true that you can be penny wise/pound foolish, which is what I think Senator Risinger mentioned. I just want to get clarification on something. Opponents say that we can't ask price. Well, then I hear later on that you can ask price after selection. Then the proponents are saying, "Well, it's quality first and then you ask

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what it'll cost." I'd like to confirm that you can select multiple people so it's not you -- make your selection and then you ask for a price. My understanding of this bill is that you can select several people and then you talk about price, is that correct?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

That's correct. The -- how these variables are weighted determine -- places quality, track record, professional experience at a premium and does at a latter stage in the process - where you're correct, Senator Lauzen, multiple firms are taken into consideration - it does indeed factor cost in. The reason why we need to have this qualitative firewall is because we want -- we don't want firms that have less experience and less of a track record to lowball as a means of -- to lowball a bid as a means of getting into the business. And then we see, subsequently, there's a higher likelihood of change orders as well as the need, from time to time, to actually repair the project which has been done because the architects and engineers who were engaged were engaged on the basis of how low they came in, primarily. And in the end, we end up paying more.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

Will the... Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEL VALLE)

He indicates he will yield.

SENATOR ALTHOFF:

Now, I'm completely confused. With regard to the proposed legislation, is -- is price then the -- the only component that -- that could be considered without this legislation?

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

...legislation clarifies and codifies into law the -- the high standards and practices which we've been involved in for -- applied to local governments for about twenty years, which we on

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the State level apply, which is applied for in forty-five other states, as well as through the federal government. Namely, on the prequalification process, we place primary weight on the ability and professional experience, on their respective track records. And then subsequent to that, after they've been pre-selected, the cost variable does get weighed in.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

My understanding, though, is after that particular time when you begin negotiating with regard to price, if you reject one of those bidders, you may not go back and renegotiate after you've eliminated them from the -- the process.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Schoenberg.

SENATOR SCHOENBERG:

The -- first of all, in practical term if -- in practical terms there are -- say there are three bidders that are -- three firms which are selected, based on their qualifications - first - and their track record, first and foremost. The -- the firm that scores the highest - and this is the way we do it for - and have been doing it for years with all our capital projects - the firm that scores the highest has that opportunity to negotiate down to the price. Generally, it's a one or two percent margin and I would - and Senator Risinger would know better than I would, because he did this for a living. But, I would guess that ninety-nine out of a hundred times the first -- the -- the -- the first-ranked bidder is the one that's able to complete a successful agreement with the public body, because firms that have a proven track record and proves -- firms that have that high level of professional experience they know what -- they know, once they have an understanding what the scope of the work is - the rough range on what it is that they have to -- that -- that it's ultimately going to cost. In the end, where the negotiation takes place is over if a project needs to expedited, if a -- if a public body says this is the Lincoln Presidential Museum, we need to have your "A" Architectural team, the top-flight people, not your junior people at the firm and -- and that -- that would, in turn, impact the overall business relationship.

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And -- and -- anyway, I hope that answers your question.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Althoff.

SENATOR ALTHOFF:

Just real briefly in -- in conclusion, I -- I truly respect the need for the legislation to ensure that we get the best quality individuals, professionals for projects. But I also think from a very realistic and -- practical position that local government officials need to be accountable and responsible to their constituents and one of the questions that people are going to ask is how much is it going to cost? And to assume that we should not include some type of price associated in a bid in addition to qualifications just seems to me to be extremely limiting and very short-sighted. I would -- urge a No vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator -- Schoenberg, to close.

SENATOR SCHOENBERG:

Thank you. In conclusion, I would urge your support, because a vote for this bill is a vote to ensure that we have a higher level of accountability and a greater level of cost savings in how we do public capital projects throughout the State.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1453. All those in favor will vote Aye. Opposed, Nay. Mr. Secretary, please call the roll.

ACTING SECRETARY KAISER:

Althoff. Althoff votes No. Axley. Axley votes Aye. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Burzynski votes Aye. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Crotty. Crotty votes Present. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes No. Geo-Karis. Haine. Haine votes Aye. Halvorson. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes No. Wendell Jones. Wendell Jones votes Aye. Lauzen.

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Lauzen votes Aye. Lightford. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes No. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Shadid. Excuse me. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Sullivan. Sullivan votes Aye. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes No. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Lightford. Senator Lightford wishes to be recorded voting Present. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 45 Ayes, 5 Nays, 2 voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1453. And the bill, having received the required constitutional majority, is declared passed. Senator Forby, on Senate Bill 1989. On the Order of Concurrence, Senate Bill -- 1989. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1989.

Filed by Senator Forby.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Forby.

SENATOR FORBY:

Thank you. I concur with Senate Bill 1989, Amendment No. 1. What this amendment was addressing the finding of -- of the Attorney General that there was no State funding in this bill.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Seeing none, this is final action. The question is, shall the Senate

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concur in House Amendment No. 1 to Senate Bill 1989. All those in favor will vote Aye. Opposed, Nay. Mr. -- Mr. Secretary, please call the roll.

ACTING SECRETARY KAISER:

Althoff. Axley. Axley votes Aye. Bomke. Brady. Brady votes Aye. Burzynski. Burzynski votes Aye. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Halvorson votes Aye. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. John Jones votes Aye. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Righter votes Aye. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes Aye. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Althoff. Please record Senator Althoff as an Aye. Senator Bomke. Please record Senator Bomke as an Aye. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 54 Ayes, no Nays, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 1989. And the bill, having received the required constitutional majority, is declared passed. Senator

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Haine, on Senate Bill 2608. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 2608.

Filed by Senator Haine.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Haine.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, this extends the Sunset Act for the Medical Practice Act for two years and does other minor things, but that's the main thing and we have to do it now. And -- it takes a three-fifths vote. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DEL VALLE)

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

SENATOR WATSON:

Yes. Thank you, Mr. President. The Illinois Medical Society does support this, so any questions that might be concerned about that, they -- they do support this effort.

PRESIDING OFFICER: (SENATOR DEL VALLE)

This is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 2608. All those in favor will vote Aye. Opposed, Nay. Mr. Secretary, read the roll.

ACTING SECRETARY KAISER:

Althoff. Althoff votes Aye. Axley. Axley votes Aye. Bomke. Brady. Brady votes Aye. Burzynski. Burzynski votes Aye. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. Jacobs votes Aye. John Jones. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye.

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Meeks. Meeks votes Aye. Millner. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Radogno votes Aye. Raoul. Raoul votes Aye. Rauschenberger. Rauschenberger votes Aye. Righter. Risinger. Risinger votes Aye. Ronen. Ronen votes No. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Sieben votes Aye. Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes Aye. Syverson. Syverson votes Aye. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Millner. Senator Millner wants to be recorded as voting Aye. Senator Bomke. Senator Bomke wants to be recorded as Aye. Senator Jones - John Jones. John Jones wants to be recorded as voting Aye. Have all voted who wish? Have all voted who wish? Take the record. On the question, there are 51 Ayes, 1 Nay, none voting Present. The Senate concurs in House Amendment No. 1 to Senate Bill 2608. And the bill, having received the required constitutional majority, is declared passed. Senator Trotter, on Senate Bill 2684. Mr. Secretary, read the motion.

ACTING SECRETARY KAISER:

I move to concur with the House in adoption of their Amendment No. 1 to Senate Bill 2684.

Filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR DEL VALLE)

On the Order of Concurrence is Senate Bill 2684. Senator Trotter.

SENATOR TROTTER:

Yes. I move to concur with Amendment No. 1 in the bill. It deals with the running of the speedy trial statute for the defense -- rather defendant is on bail and that defense {sic} is also in custody for violating conditions of parole of another -- parolee. This is legislation that we all saw in the spring. It was Amendatory Vetoed by the Governor. It has been ruled that he has exceeded his authority in that, so -- in that veto, so we

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have now brought to back -- this bill back in this Senate Bill 22 -- 2684.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Is there any discussion? Is there any discussion? Seeing none, this is final action. The question is, shall the Senate concur in Amendment No. 1 to Senate Bill 2684. All those in favor will vote Aye. Opposed Nay. Mr. Secretary, call the roll.

ACTING SECRETARY KAISER:

Althoff. Althoff votes Aye. Axley. Bomke. Bomke votes Aye. Brady. Brady votes Aye. Burzynski. Burzynski votes Aye. Clayborne. Clayborne votes Aye. Collins. Collins votes Aye. Cronin. Crotty. Crotty votes Aye. Cullerton. Cullerton votes Aye. Dahl. Dahl votes Aye. DeLeo. Del Valle. Del Valle votes Aye. Demuzio. Demuzio votes Aye. Dillard. Dillard votes Aye. Forby. Forby votes Aye. Garrett. Garrett votes Aye. Geo-Karis. Haine. Haine votes Aye. Halvorson. Harmon. Harmon votes Aye. Hendon. Hunter. Hunter votes Aye. Jacobs. John Jones. John Jones votes Aye. Wendell Jones. Wendell Jones votes Aye. Lauzen. Lauzen votes Aye. Lightford. Lightford votes Aye. Link. Link votes Aye. Luechtefeld. Luechtefeld votes Aye. Maloney. Maloney votes Aye. Martinez. Martinez votes Aye. Meeks. Meeks votes Aye. Millner. Millner votes Aye. Munoz. Munoz votes Aye. Pankau. Pankau votes Aye. Peterson. Peterson votes Aye. Petka. Petka votes Aye. Radogno. Raoul. Raoul votes Aye. Rauschenberger. Righter. Righter votes Aye. Risinger. Risinger votes Aye. Ronen. Ronen votes Aye. Roskam. Rutherford. Rutherford votes Aye. Sandoval. Sandoval votes Aye. Schoenberg. Schoenberg votes Aye. Shadid. Shadid votes Aye. Sieben. Silverstein. Silverstein votes Aye. Sullivan. Sullivan votes Aye. Syverson. Trotter. Trotter votes Aye. Viverito. Viverito votes Aye. Watson. Watson votes Aye. Wilhelmi. Wilhelmi votes Aye. Winkel. Winkel votes Aye. Mr. President. Mr. President votes Aye.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Have all voted who wish? Senator Sieben. Senator Sieben votes Aye. Have all voted who wish? Take the record. On the question, there are 48 Ayes, no Nays, none voting Present. And Amendment No. 1 -- Senate concurs with House Amendment No. 1 to

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Senate Bill 2684. And the bill, having received the required constitutional majority, is declared passed. Mr. Secretary. Mr. Secretary, Messages.

ACTING SECRETARY KAISER:

I have a letter on file from Senator Edward Petka, dated November 29th, 2006.

Dear Madam Secretary - this letter is to inform you of my resignation as the State Senator from the 42nd Legislative District, effective December 4th, 2006.

It has been my high honor and privilege to have had the opportunity to serve the people of my area as their State Senator and State Representative through ten General Assembly Sessions. I will always remember and cherish the many friendships that I have developed during the twenty years in the General Assembly. May I extend to each and every one of you the very best in all ways.

Signed, Blessings, Senator Edward Petka.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Mr. Secretary, do you have any resolutions on file?

ACTING SECRETARY KAISER:

Yes. Senate Resolution 914, offered by Senator Watson, Emil Jones and all Members.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Mr. Secretary, please read the resolution.

ACTING SECRETARY KAISER:

(Secretary reads SR No. 914)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 914. Those in favor will say Aye. Those opposed, Nay. The Ayes have it, and the rules are suspended. Senator Watson now moves for the adoption of Senate Resolution 914. Is there any discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you -- thank you very much, Mr. President. What a great resolution to honor a great colleague of ours who has served this -- this Body with great distinction. You've heard all the list of his accomplishments and things and what he's done. It's truly been a -- a measure of -- a mark of a great man

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and a great public servant. My opportunity over the next few minutes will just -- to share a little bit more with you about the person, Ed Petka, maybe more so than all the things that he's sponsored and all the things that he's -- he's stood for in his legislative career. But, I first met Ed in 1987, when we'd first been elected to the General Assembly. And here was this big, tough, Polish prosecutor from Will County that put people on death row. He had a nickname of "Electric Ed". And, here was this little guy from northwest Illinois that made his living selling seed corn to farmers and we developed a great friendship, beginning at that time. We spent six years together in -- in the House - as part of the Republican Minority at that time in the House - interesting times. Then in 1992, we both made a decision to run for the Senate. And we came over here as part of the majority at that time and we understood at that time the rule of thirty-two/twenty-seven. And, now, we understand the rule of thirty-seven/twenty-two, I think it is. So, right, we've had that -- that experience and shared that time together. For most of our years here in the Legislature, we've had the -- I've had the privilege of sharing an apartment with Ed over at Lincoln Tower and - up on the tenth floor or the eleventh floor or the fifteenth floor or whatever - but, we've shared some great times together. And you really get to know a person as an individual when you share -- share an apartment. We did have two bedrooms and two bathrooms and all that... But, yeah, I mentioned that Polish part and when I wake up in the middle of the night and I've got make a trip to the bath, I don't want to run into Ed in the middle of the night, you know. But we did, we shared an awful lot about our families, the struggles of our kids. Our kids are married, very much the same age and our kids, like most kids in most families, have had -- had difficulties and challenges, made some good decisions, made some bad decisions and we've gone through that. We prayed about those situations and for the most part, those kids have turned out pretty well. I remember how excited Ed was when his son, Ed, Jr., was accepted into the Air Force Academy and how proud he was of the -- of the accomplishments of his son. And just last week, when Ed was packing up the things in his office, he had a flag in his office that his son had carried in the airplane with him when he flew

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over Iraq, and Ed understands tradition and protocol and things so well that he would not -- would -- would not allow the -- the people that were packing up his office to take that flag down. He required that a couple of veterans -- a couple of veteran colleagues come to his office and properly -- fold that -- that American flag that had flown in the airplane with his son, Ed, over Iraq. So, just a tribute to a man that respects honor and tradition and glory and -- and the service of veterans and the service of his son, Ed. I remember the joy that we shared as each one of our children got married and we had the opportunity to attend each others' - the weddings of our children and then now the joy and delight of all these new grandchildren that we have. So, it's been a great sharing and great privilege to get to know Ed's family personally and his children. When Ed was diagnosed this spring with prostate cancer, called me on the phone, he said, "I want you to be one of the first to know." We had prayer, we prayed about that, we talked about the options for treatment and we talked about our belief in -- in a God that heals and a God that -- a God of miracles and that that would be our prayer. A day hasn't gone by that I haven't prayed for Ed Petka and his good health and his victory over fighting and beating this -- this cancer disease. So we've shared that. Ed's also taught me a lot. You know, those of you that know Lincoln Tower, know that on that on the fifth floor, room 511, when Pate was here, many of us would retire from the Chamber and go over to 511 Lincoln Tower. Wendell Jones shared an apartment over there with Stan Weaver and -- and Dave Doty and couple other people over there. But Pate liked to go there and play poker with us. Nothing Ed liked better than taking money from Pate and Stan. And I learned a lot from Ed. I wasn't really a very good poker player, but I knew if I watched Ed and kind of did what Ed was doing, that we'd probably come out all right at the end of the night and he knows that song about "know when to fold 'em and know when to hold 'em and don't count your money..." We had a little fun countin' our money up in the apartment after we'd taken a little of Pate and Stan's money over there. So that was a good lesson. And -- and a few years ago, back in the late 90's, Ed loves to invest in the market and he understands taking risks and -- and making money in the market. Introduced me to --

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a gentleman named James Dines, who writes an advisory newsletter. If you want to make some money in the market, if you want to take a little bit of a risk, subscribe to Dines' -- Dines' Market Letter. And -- so we had fun. In fact, we invested in some of those Internet stocks in the late 90's and we rode the four horsemen all the way up and we rode 'em all the way down -- all the way -- all the way to the glue factory was the joke. I said, "I rode those four horses -- horses of the Internet all the way to the glue factory." But we're doing a little better with -- with gold and silver and precious metals. So he taught me about that. And the last thing I'll share with you, he taught me about oatmeal. Now having a great roommate like Ed Petka, he likes to get up in the morning, he likes to cook oatmeal and he did that for Phyllis and he did it for his kids when he was growing up. He just thinks it's a great day, great way to start the day to get up and cook oatmeal for your kids. But when we first started out, it was just, you know, the little can of Quaker Oats, you know, you pour it in some boiling water and two minutes later you've got oatmeal. Well every time he read something more about health benefits or something, it was going to go in the oatmeal. So he started out with a little wheat germ. So we had oatmeal with a little wheat germ. And then he heard about some of these other multigrain cereals that you get. So now we've got wheat germ and we've got triticale in there and we've got barley and he had to bring a bigger pot the next year. And then -- then he found out the soy milk was good for you, so we had to put a little soy milk in the oatmeal. And then he heard about flaxseed and that's where you get your Omega 3s, so we started out with whole flaxseed. Well, your body doesn't adjust to whole flaxseed real well, so -- so we had to deal with the flaxseed in the oatmeal. And then they started making a product where they grind that flaxseed so if you sprinkle your flaxseed on your salad or whatever. Now we've got ground up flaxseed in the oatmeal. He told me two weeks ago, "You know what? I was just reading about cinnamon." He said, "We got to put a couple of tablespoons of cinnamon in our oatmeal. So we got this big pot at the apartment. It takes it now -- and plus you got to use steel cut oats now. So, Ed is great at cooking oatmeal and -- and I'm healthier today because of eating oatmeal every morning with Ed.

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Yeah. And I -- I tell you every morning I wake up and I -- I know my plumbing's going to work all right, too. I'm going to have Ed's oatmeal, but it's great -- I'll tell you I -- I can't think I of anybody in the last twenty years that I know - man, woman, family, anybody - that's had more of an impact on my life than Ed Petka, in all these different ways. We spend time together, we've become family down here. Ed Petka, I love him as much as my two brothers. He -- he's touched my heart in so many ways, made me a better person, showed so many things to me about how to serve my family, how to serve my children, how to encourage my children, how to love my wife better, how to love my Lord better, how to serve, how to be a Christian, how to follow through on commitments. You heard that in that resolution - great things. And, Ed, your service as State's Attorney was truly outstanding for ten years. Your service as a Legislator for twenty years has been truly outstanding. Your service as a judge in court, on the bench will also be truly outstanding. God bless you. We wish you well. We'll miss you here. I hope I don't get stopped for a ticket in Will County, because I might -- I'll see how good our friendship is.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Ed came to the House when I was there with Todd and, of course, his reputation had preceded him. And, he certainly brought some excitement, especially for Leadership elections - one in particular that I remember. I think Lee Daniels remembers that one, too. Is that correct? So, anyway, we had a great time and I've been the officemate of Todd for about sixteen years, so everything that Ed passed on to Todd I always got it secondhand. We should do this or invest in that or whatever. So I was always getting some benefit of the -- the wise counsel from the counselor. Ed's been a solid Legislator, consistent and knowledgeable and certainly a credit to the General Assembly. But one of the things that Todd didn't mention about their apartment over at the Lincoln Towers is, one day they got visited by some law enforcement people and questioned. It came out that right across their hallway they found a dead body and they were investigating this crime. And so these two guys

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were being grilled by the local officials about how this body got there, if they knew any information about the -- the crime. So, they had a little excitement there, but Todd said, "I let the -- the counselor do all the speaking for me with the law enforcement officers." Anyway, Ed, I know you're going to do a great job. I know you look forward to being a judge. You've got a great history in public service and I know all of us here are going to miss you. But we wish you well, wish the family well and Godspeed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President. The hour is late and the weather's bad and I'll be brief. But, I first met Ed Petka when I was Governor Edgar's Chief of Staff, right after the Plainfield tornado, and that freshman - or new Legislator - drove a very hard bargain on behalf of all of the people of Plainfield, but most particularly the schoolchildren. And, Ed was a driving force in getting his school built in his hometown as quickly as anybody has -- has ever done that. When I was a new Member coming from staff, it's the little things around here that make us all -- Ed always would look at his watch when we'd adjourn on a day like this and he'd say, "Fifty minutes, the Cracker Barrel, at Route 9," and it's how I knew that I was really a Member of the Senate, as opposed to a staffer, when this gentleman said, "Fifty minutes." Maybe he was under a different speed limit than I was - the Cracker Barrel at Route 9 - but it's the little things that I remember - the gentleness of this very tough man. The other day, Senator Cullerton and I said goodbye to Senator Petka, probably one of the greatest Members the Judiciary Committee has ever had. We still have Bill Haine and Bill's got big shoes to fill. But, Ed Petka let John Cullerton and myself and probably all of us sleep well at night, because on very complicated matters, like the death penalty, or the things that come before us, John and I always knew - Senator Cullerton and I always knew - that Ed Petka was the expert. And I can't tell you what a huge loss it is to lose, not just a prosecutor, but probably one of the greatest prosecutors in Illinois history in Ed Petka. And, fortunately, we've got Bill Haine to -- to step

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up and -- and fill those shoes. Ed was an expert on eminent domain and Senator Garrett knows what a big issue that has become lately. But, Ed Petka was a trendsetter in warning us of the abuses of eminent domain, with some of the finest speeches I've ever heard on the Senate Floor. Ed Petka is an expert and we all need to, especially in this building, remind ourselves of what our founding fathers - why they came here, what they did and what they thought. And if you ever want a great speech to go out and give to schoolkids or your church about how this country was founded and how it all interlinks between the government, our Creator, and the founding of this country, Ed Petka is the expert on, I think, the religious freedoms of this country. I don't want to break the secrets of our caucus, but I wish you Democrats could have listened to Ed's going away speech the other night in our caucus. You know, it's neat to kind of see Ed Petka tear up, but he gave the finest, I think, speech, weaving family and faith and public service, that I've ever listened to and I will always, always remember that -- those remarks. Finally, I can't think, as a lawyer, an officer of the court, of a fairer, more experienced and better type of person to become a judge in the State of Illinois. And, you know, we're lawmakers and the good thing about having one of our former colleagues, whether it's a Democrat or a Republican, go to the bench is that I know that Ed Petka knows that the Legislature makes the laws, not the judges. We'll see Ed, I'm sure, because the judges of this State will be very wise to send Ed down here when it's appropriate and ethically to do so. But I'm very happy as just a person and a prosecutor and a law enforcement officer that Ed Petka and a former Member is joining the judiciary. So, you're a great family man. I've learned a lot about, with young kids, how to be a father. You're one of the role models to me. And, I've never met a better person that's interweaved faith, family and service together than you, Ed. God bless you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President. Don't worry, Senator Petka, this will not be a rebuttal. We -- I first got elected to the House; I had come from the Cook County Public Defender's Office. A few

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years later, Senator Petka came and he was the State's Attorney of Will County. So, we were on the Judiciary Committee together over in the House. And, I would say, initially, we weren't on the same page in terms of a lot of those -- lot of those votes. It's -- he had a very high conviction rate as a State's Attorney. I had a really higher conviction rate as a Public Defender, actually. But aside - I -- I -- I bragged about that - I said, I -- you -- you lost some cases, I -- I didn't win any. But -- but, what happens was when you leave that experience, you tend to move away from your experience as a public defender and as a state's attorney. I think, arguably, you grow and you come more nuanced and you come more towards the middle. A few years ago in the Senate, we were in the Judiciary Committee, there was a good, tough law and order bill. I voted for it. Senator Petka said, "You know what? There's something wrong with this. It really -- it really isn't fair to the -- to the other side." And I said to Ed, "You know what? We've been moving to the middle so far now, I think we passed each other." But, I point that out because in spite of this reference as Todd said about "Electric Ed", I mean, Ed, as -- as Senator Dillard had pointed out is a very, not one-dimensional person. And he understands about the -- the Constitution, understands freedom, understands about the presumption of innocence. And I -- I think has -- has been a -- evidence that. I've gotten to know him through working on some legal matters together. I've gotten to know how dedicated he is to his -- his wife, Phyllis, and -- and his children and his grandchildren. And I know that when he goes to the bench that he will -- and I -- I happen to have a matter out in Will County in front of him, that he will not have to recuse himself and that he'll be very fair, as he will be for all of us if we ever have to find ourselves in -- in a courtroom. I just really think that this place is a great university to learn how to become a judge, because you have to meet people from all over the State, all walks of life, all races. And -- and you understand and learn how important it is to -- to appreciate people's individual backgrounds and that's critical for a judge. And, I know Ed will be -- will be a -- a great one. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Collins.

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SENATOR COLLINS:

Hi. I know time is running short, but I would be -- it would be remiss if I did not stand up to articulate my respect for Senator Petka and to sing the accolades of a man of deep and abiding human values that we all cherish as Americans and as citizens of a democracy. First of all, I find Senator Petka to be a man of personal and professional integrity and astounding intelligence, and of moral courage and moral character. I would like to personally thank him and to express my deepest gratitude for his leadership and his vision in helping me champion the Sudan -- Illinois/Sudan divestment legislation. This landmark and historic legislation, the first in the nation to place Illinois on the map as a General Assembly that took a stand, a moral stand, that said we will not support and be complicit in a repressive regime that continues to murder, maim and rape men, women and children. I can never thank you enough, Senator Petka. And, I know it was because of you that we were able to get the legislation out with the fifty-nine to zero vote. So, I just thank you. I always want to say -- to send you Godspeed -- on with Godspeed. But also to say, because you are a man of the word and scripture, and we know that God would give us the desires of our heart. And, on numerous occasions, you have expressed your desire to go back and sit on the bench. So, I want to say I send God blessings to you and to your family and you will be a wonderful asset to the bench. I thank God for the blessing of serving with you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, I was hoping I wouldn't get up and say anything, Ed, but I -- I couldn't resist. And, you know, now there's one. Yeah, turn the mike off, Ed says. You know, I think the Polish caucus has been cut in half here in the Senate with Ed's departure. And, Ed, I can't express to you what he has meant to me over the years. Todd Sieben, Bill, you've all done such a great job talking about the virtues and extolling the virtues of Ed Petka. But, I can tell you those of you that really haven't had a chance to get to know him, maybe there's still time for you to do that. Because this is a guy -- I first went into the

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General Assembly in 1990 in the Illinois House. And at that time, there were quite a few of us that had those Polish names. And I really didn't know Ed that well. And, one day we're all standing around in the back - Bob Bugielski and some of those guys, and -- and I said, "Hey, I said would anybody be offended, if I told a Pollock joke?" And Senator Petka looked at me and he said, "Well, I would." And I said, "Well, you can either leave or be offended." Now, having said that, Ed has come a long way over the years and he's told a few Polish jokes of his own, and I've appreciated him for that. Senator Dillard just mentioned very briefly the other night, Ed talking about the fact that biblically we are all here to serve mankind and that is exactly what Ed has done. His faith, his family, his service to the State of Illinois - just a tremendous example for all of us. And I can tell you, you know, we all think that we've got it bad sometimes. We all go through rocky moments - Ed has, as well. We all do that. And he -- his -- his actions, his -- his faith has certainly spoken to me and been a great example. Ed, we're going to -- to sincerely miss you in this General Assembly. And I can tell you that I just really appreciate the friendship that you've shown me over the years. Thank you, Ed.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Munoz.

SENATOR MUNOZ:

Just serving with you for about eight years, Senator, but when I first got here, you were in the majority. I like to push tough crime bills, as you all know, but your door was always open there and the only bill that we never really saw eye-to-eye on and that was when I was pushing the assault ban weapons. So -- but, other than that, it's been an honor to serve with you and I appreciate all your support that you had given me when I was working on those bills. Thank you and God bless you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Mr. President. I -- I'm always amazed at these things when we do these. I -- I'm not a good-bye kind of guy, you know. I'm a -- I don't like saying good-byes. I don't. Just not me. I like people and to see somebody like

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this leave, it's -- it's difficult. And, I always sit and wonder, when I listen to people when they get up and talk during this particular point in time when people do leave and -- and the manner in which everybody conducts themselves, it's just -- it's just great and it says something about this Body and the people who are here. It truly does. Now, I don't know if you know this or not, but Phyllis is -- or, Ed's wife, Phyllis, is going to replace him. Now, you think Ed's conservative? Wait till -- wait till you see Phyllis, the true driving force behind this family and -- and a wonderful lady. And, we'll enjoy having her for the few days there in January. When Ed gets up and talks, this is one of the few people - and there's -- a lot of people listen to what's being said - but when Ed gets up and talks, everybody listens. He's a very sincere individual who -- I -- I loved what was said in the resolution when it said, "traditional American values", because that's what -- that's what we see here. That's what we have. And he has brought a perspective to this Body that I hope we don't lose and I hope someone will carry on. Because, Ed, you've got it. He's got his feet on the ground. He understands the importance of what we're all about here in Springfield. And it is going to be a perspective, I think, that, unfortunately, we're -- we're losing here. Ed's -- Ed gave me the opportunity to -- to have this microphone. He gave me the opportunity to be a part of this leadership effort that went forth over the last few years and I'll never forget that. You -- you're a stand-up guy in -- in the time when it would have been easy to do something else and I'll never forget that. Somebody mentioned, I think it was Todd, you know, that there's a different side of Ed Petka than maybe most of you know. This is actually a -- a Jack Daniels drinking, guitar picking, country-western singer. Honest to God. And, he does it very well. I wish you could have all have heard him over the years. We, in our caucus, have had that opportunity. It's a different side of Ed that I've -- than -- than any of us would have ever imagined. But -- it -- it just shows what the kind of individual that -- that we have here, who understands that there is something besides -- there is some fun we can have in life and he is very much a -- a fun person. It is going to be hard to go on without you sitting next to me, Ed. And I -- and I do, once again, thank

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you. You've been a great friend, a great Senator and -- and really a better person and we're all better off for having known you and serving with you. And thank you, my friend, and good luck.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Resolution 914 be adopted. All in favor, say Aye. Opposed -- opposed, Nay. The Ayes have it, and the resolution is unanimously adopted. Senator Petka.

SENATOR PETKA:

Well, thank you very much, Mr. President and Members of the Senate. It is very true that I am leaving the Body that I have served for twenty years and entering a new challenge in life. I'll be sworn in as a circuit court judge, Monday at 3 o'clock, in the Plainfield Municipal Building in the boardroom. I'm looking forward to the swearing-in ceremony. I'm looking forward to the opportunity to continue public service as a circuit court judge. From my point of view, I have been in training for this job ever since I was in law school and the training certainly accelerated while I was here in the Senate, and especially on the Judiciary Committee. The decisions that we are required to make here in the General Assembly require analysis of individuals getting up and talking and making certain statements and -- and weighing those statements and then coming to a conclusion. And, I just think that I'll be doing it, perhaps in a little different perspective, with a gavel in my right hand. But it has truly been a very, very high honor for me and a very distinct privilege to have been elected to serve in Springfield. When you think of the history in this -- in this town. I mean, the people that have gone before us and have served are the -- the mighty names of government throughout the ages. People I've had an opportunity to serve with while I was down here who have gone on to serve in -- in statewide offices and serve in Congress, serving in the United States Senate. It has truly been a privilege to have been associated with the -- the caliber of people that -- that I know have been elected to serve in the Senate. I will always cherish the friendships that I have made through the years. I will certainly miss the individuals on the -- a very personal level when I -- when I leave my service here in the Senate. I'll always have a special bond, however, for

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those who started with me in the House, or at least when I came aboard. There's only two left, John, from the House and -- that's yourself and -- and Jim DeLeo. And on our side, Dan Cronin, Brad, Bill Peterson, Todd Sieben. Those six years in -- in the minority in the House gave me a taste of -- or a hankering to -- to be in the majority. I have served in the majority for ten years, in the minority for ten -- ten years. The majority actually is a little better. I'd like to thank members of our staff who have kept me from making a fool out of myself, on occasion, by bringing forward to me information that -- that I needed before I cast a vote. I'd like to thank my secretary, Tara Horn, who has been a very loyal and very, very wonderful young lady to work with. I've had a good run. Truly have. I had an opportunity to serve as a State's Attorney in Will County. I was elected as the youngest State's Attorney in the history of the county and one of the youngest ever elected in the State. And, I served for ten years and had an opportunity to serve as President of the Illinois State's Attorneys Association and served on President Reagan's National Council of -- on Violent Crimes. And during that time, and one of my -- and one of the speaker's alluded to it, I picked up a nickname of "Electric Ed". And many people thought that that came about as a result of -- of the fact that I had prosecuted ten capital cases and won 'em all. But the fact of the matter is, and this is something I try repeatedly to drive home to my friends in the press, I was given a scaled down model of an electric chair by a reporter from the Joliet Herald News after I had tried the first capital case in Will County in fifty-two years. I told my wife about it. She thought it was kind of tacky and, you know, and told me to just hide it somewhere. And I said, well this is the beat reporter that covers my office, so if he gives me this gift and I just kind of pitch it in the waste basket or go hide it, that it might create a problem. So, I kept it there and after a while it became a novelty. And as a matter of fact, that is why the name "Electric Ed" was -- was given to me and was given to me by a reporter for a paper. But serving in the General Assembly and having the opportunity to, as I did, -- to -- to come in on the heels of a person who went on to truly bigger and better things. I replaced J. Dennis Hastert as the State Representative from the

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82nd District. And, coming down here as a hotshot State's Attorney and a fellow who was bound and determined to just change the system, I -- I told my Republican colleagues the other night, that I came in with a bill that would provide for a -- an alternative voting choice, "none of the above" and also a -- a bill that would preclude leaders of any caucus from transferring more than five thousand dollars to -- to -- to any other political campaign committee. Thought it was a hell of an idea. And I found out real quickly what people in Springfield thought about attorneys and especially State's Attorneys who are perhaps a little uppity. Because the House Elections Committee met, let's just say infrequently, and the meeting -- and this one meeting in particular was in the Office of the Speaker and then we moved outside and the -- the chairman of the committee was Nelson Rice - and, John, you may remember Nelson - he had me sit there for about three hours in the back of the -- the room and then he called me forward and he said, "Representative Petka, are we going to have to listen to any testimony at all before we kill your very bad bill?" And I thought to myself, well -- well, Representative, welcome to Springfield. And, the -- the fact of the matter is that, Bob Churchill came up to me and said if you don't -- you're not going to be able to move this bill because you're not even going to get a motion for a do pass, because both -- both leaders, Madigan -- Speaker Madigan and also Minority Leader Daniels had a hit on it. So, in any event, I don't wish to go through 'cause I'll probably start getting a little sappy and maybe a little watery in -- in the eyes. But it -- it -- there are times when I think that all of us really take for granted what we have here. We really do. When I have walked outside the Capitol sometimes, you know, walking over from Lincoln Towers, I literally look up at the top and just pinch myself and say, how could this be? I mean, given an opportunity to be a Representative, to be a spokesman for people. Many people would like to -- to have had this privilege and this honor. And, wondering why it was that I was able to come down here. I wasn't groomed in a political family. My -- my dad was a cop. My mom was actually born and raised for the first seven years of her life in a -- in a coal mining camp. She was ultra poor. I -- had a fourth-grade education. My dad had an eighth-

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grade education. And when I came home from school one weekend, I told my mom I'm planning on going to law school. And, she looked at me and she said, "Son, you can't. You can't go to law school. That's only for rich people." And I told her, "Well, Mom, you know, this is America. I think I can do it." The fact that -- what that really points out is that literally anybody in this State and in this nation has an opportunity with -- with some luck and with some determination to have an opportunity to serve on a very broad level. Sacred scripture calls us to serve. We are -- it is one of the callings of us, as a person. And, we have an opportunity to serve, on a much broader scale, people that -- that -- that need our assistance here in the General Assembly. And for that, I will always thank God that I had a chance to do it. Frank, I just wanted to tell you that -- you know, as I said the other night, it -- it's been a privilege and a pleasure working with you as Minority Leader. There were days I would hope that it would be Senate President. That's probably not going to occur for a few years. It has been a pleasure and a -- just a high honor and privilege to have worked with so many of you and to get a chance to know not only yourselves, but your spouses and the members of your family. To those that have -- who I've only known a very short period of time who don't know a lot about me, or who have not -- I have not had a chance to intermingle with you, that's my fault and not yours. And I -- I wish I really had an opportunity to spend more time to learn more about... And, you know, as I indicated before, I've had a good run. I've run in ten races, contested, and won 'em all. But right now I'm in a contest that I really need to win and I'm very confident, based upon what doctors have told me, that I have a -- at least a nine in -- ten chance of winning. I was diagnosed last summer with prostate cancer. Fortunately, I got it caught early. You'll probably forget most of the things that I've said here today, when you hit -- hit the highways. But, this message is directed to the males in this Chamber. Statistics tell us that one out of every six males in the United States will be diagnosed with prostate cancer before they reach seventy, which means that there will be seven others -- seven other males in this Chamber who have a high likelihood of being diagnosed with prostate cancer. I was fortunate, because I caught mine early.

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There's no -- there are no symptoms that are associated with this. There -- there's nothing that will send you to the doctor to check on this. My suggestion to you, and I say this with all earnestness, the inconvenience of the examinations that are required to -- to check on the prostate health is something to make sure that we do every single year, to give yourself an opportunity to at least have a fighting chance against this disease. In conclusion - and I thank you for the extended time to speak, Mr. President - I want to thank each and every one of you for the enrichment that you've brought into my life. Your sharing of thoughts and sharing of -- of your ideals, the opportunity to learn from you. And, I hope that you have taken away a little bit of myself and some of the things and some of my attitudes and my beliefs and my ideals and some of my knowledge. I truly look forward to continuing to have relationships with -- with your people. I hope to see some of the lawyers in my courtroom. But I say in all sincerity, I hope that the other forty-five or so who are not lawyers that I never see you in my courtroom, because that would probably not be a good thing, you know. Generally, it's not associated with pleasant news when you're summoned into a courtroom. I want to especially thank my roommate, Todd, for over sixteen years of -- of some of the finest times in my life. You too, my friend, have been a high inspiration to me. We've -- we've ridden some tough horses during that period of time and we'll just leave it at that. And to Bill and Dan and Brad and -- you've come over with me from the House and John and Jim, again, a special bond. In conclusion, and in spirit of the season, I would just simply ask that a peace of the Lord be in your hearts and in your minds, in your lives so that it will fill our State and nation with a peace of the Lord. With that, may God always bless you and a very sincere thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Madam Secretary, do you have any resolutions on file?

SECRETARY HAWKER:

Senate Resolution 912, offered by Senator Emil Jones, Senator Watson and all Members.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Please read the resolution.

SECRETARY HAWKER:

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(Secretary reads SR No. 912)

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Jones moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Resolution 912. Those in favor will say Aye. Those opposed, Nay. The Ayes have it, and the rules are suspended. Senator Jones now moves the adoption of Senate Resolution 912. Senator Jones. Is there any discussion? Senator Jones.

SENATOR E. JONES:

Did someone move the previous question? Oh, very good. Okay. These are always sad times, you know, when we have to do something of this nature to -- to say so long to one whom you had the opportunity to work with over many years. I've always called this place a great, great university because you learn so much and you learn so much from so many different people. George Shadid is a person I met when he first got here and he brought that police mentality with him. You know, he was a sheriff down in Peoria County and he come down here with his authoritarian attitude - he know this and we going to do this and bullying everybody. But, inside, we always knew he had a very, very warm heart. A very warm heart. He really cares about servicing people. And over the years I got to know him quite, quite well, 'cause I traveled to Peoria with him many times on issues that impacted his constituents. And, we've always gotten things worked out. But usually -- usually he's always the butt of the jokes. He said he has the best caucus in the world. Just one person and he's the chairman of his caucus. But he -- they always kid him in the room. And he -- he -- he reminded me the other day that -- promises that I made to him and never fulfilled, 'cause he said Senator Shaw - Reverend Meeks - promised to leave his wig with him. And, so he promised, so you make sure you see -- you see Senator Shaw that he brings that hair, 'cause Senator -- George said he wanted the hair that Shaw was wearing. But George Shadid is the type of person that when you really get to know him, he can be tough on the outside, but when you really get to know him, he will reach out and do everything he can to aid and assist. And sometimes on this side of the aisle there were some tough, tough issues and tough questions. And, George Shadid, in those leadership meetings,

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would say, "Hell no, no way, I'm not doing this. I'm not going to do that." But you ease up and talk to George, he'll say, "Okay, I think I will take care of that for you." And he's done that on many occasions, helped out individuals who had a very tough piece of legislation. We're going to miss you, George, but I know we will still see you, 'cause Terry Link will -- and Jimmy DeLeo and Tony Munoz going to come get me one night and drive to Peoria - and even Mattie Hunter. But -- but when we go, I know we will be stopping by to see George Shadid. I cannot see any other reason why, in the late evening after Session you're going to drive all those miles and not stop by and see George Shadid. I really look forward to it. So, we wish you well during your early retirement. And, I -- I'm quite certain you will go back and do some volunteer work in law enforcement. But, we know you -- you are our friend. We know you have a big, big, big heart. So, when you get back to -- Peoria with your lovely wife, enjoy, 'cause we're going to miss you and God bless you, George.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Mr. President and Members of the Senate. I, too, will miss you, George. I've always kidded George, all the time, and he -- he takes it in stride. And even when he didn't take it in stride, I didn't care. But -- and maybe I've moved up a little bit because I guess for the last seven years or so I take my sons and their friends to the 2-A State playoffs and always see George. He's never let me use his -- sit in his seat. You know, he had courtside seats. But, maybe now I'm up talking about you, so, maybe now George will let me sit in his seat. But -- but truly, as -- as Emil said, George can be very tough on the outside, but he has a very big heart. He's a good person. He cares about the people who -- who he represents and he generally -- George cares about everyone. But he -- he tries to wear that gruff -- gruff -- that gruff character. And I -- I kid George all the time. I call him. I said they made a movie after him, well actually two - the grumpy old man. But George is -- has a big heart. I want to tell one story, if I can, George. And, I'm not going to mention any names. But, George had a birthday and he was given a gift. He was given a gift that I think only had

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one pill in it. You remember that, George? And, it was a Viagra pill. And the person who gave George the gift, I guess there were some slots that were missing. So, George takes his -- puts it in there. Takes the briefcase home. George forgets that he received this gift. So, Mrs. Shadid goes into the briefcase and wants to know what happened to other two pills. Now, George told me that story, so I'm just sharing it with you-all. But -- but truly I've -- I've enjoyed working with -- with George over the years and I constantly kid him. And -- and tell one other story and I'm going sit down, George. The Mayor of St. Louis is a Lebanese. And, he comes in and we meet with him. This was last year. He's says, how's Senator Shadid? I say, who? He says Senator Shadid. It's George -- I said, no, no, no. He's Americanized. It's George Shadid now. But, truly I've enjoyed you, George. And I continue to look forward to coming to Peoria to see you and Godspeed to you and your family. I'll and always love you, George, and will truly miss you. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Munoz.

SENATOR MUNOZ:

I just wanted to rise and tell you that I'm going to miss you, as well, Senator. Probably about the last four years we've been on Transportation together before you were the Chairman, and now since you went into leadership, I was given the privilege to be the Chairman of Transportation. But, I know all my colleagues on both sides of the aisle that serve on Transportation - we got a great committee together - and -- and everyone's always looking to George, either when you're screaming at a bill that you don't like, or laughing at something that somebody did. But, Transportation will never be the same with out you, my friend. But, I do want to wish you well and thank you for your support over the years that you've given me. And, it was great to work with you. And, I wish I could have been a policeman with you at least for a couple years, 'cause I heard you were a great cop. You take care and God bless.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Sullivan.

SENATOR SULLIVAN:

You know, yesterday when we were on recess, we were kind of

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waiting for some paperwork, I went across the street to the hot dog joint over here and -- and was up to the counter paying for a hot dog and the gentleman that was a cashier looked behind me out the window and he says, "Is that Shadid?" And I turned around and sure enough George was coming across the street. And I said, "Yes." And he said, "Didn't he used to be a Sheriff in Peoria?" And I said, "Yes, he did." And he kind of shook his head and I knocked on the window and told George to come in and come to find out they had known each other. But, the point being that George is the type of individual that once you meet him you never forget him. Now, that gentleman, that man that we -- you saw yesterday, George, you hadn't seen him for what, twenty-five years? But he -- no, I should say, you made an impression on him. Well, I'll let George tell the story about who he locked up and who he didn't. But the fact of the matter is, George, is that it's your character that people remember. It's your honesty - sometimes your -- sometimes, your brutal honesty. It's your no-nonsense, tell it like it is, if people don't like it, so what, that's where -- that's who I am, that's where I stand. And I believe that everybody that we meet in life, that we develop a relationship with, we learn something from them. And, George, that's what I have learned from you - to be honest, to be truthful, to tell -- to speak you remind, to tell and stand by your beliefs and I want to thank you for that. It's been a great honor. I'm not saying goodbye, 'cause I know we're going to see each other often. Thank you.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Risinger.

SENATOR RISINGER:

Thank you, Mr. President. George, I -- I never thought that we'd be in this position. When I came to Peoria in 1988, George was still the Sheriff. And he built the -- he built the jail there. It was a heck of a deal. He did a heck of a job then. And, George, when he got in the Senate, why he would come to see me as district engineer and -- and, of course roads were big in the area and -- and, you know, people would complain about this or that. George would come in and say, you know, I got this complaint from so and so, and we'd talk about it a little bit and he'd say, well, words that I can't say, but he said, that -- you

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know, I'm not going to do anything with that because their -- their complaint is unfounded. The thing I liked about George, he was always very forthright. We did a lot of good things together, George. You know, you -- you provided the leadership in the Senate and -- and I did the thing over in IDOT and -- and got a lot of things done. Never -- never dreamed that we'd be in this situation together. But, George is not a guy that I call smooth. You know, he's kind of rough, but -- but, Mr. President, you hit it right on the head, you know, you can't find a guy with a softer heart than George Shadid. And all you have to do is go to Peoria and look around at the kids and those that are elderly, disabled, whatever, he is a friend. People love you there, George. And, if George ran for the next hundred years, he'd get elected. But, not all that's because of George. You know, -- many of you probably don't know Peggy. Peggy runs your -- his office. And Peggy does the work. I mean, we all know how important constituent work is and Peggy does that for George. And, she kind of knocks off those rough edges for George. But, George, we are going to miss you in the Senate. I'm going to miss you. You know, you've always been a friend to me. You've always come and told me where I'm wrong and how I'm on the wrong side of the aisle, and how I'm on the wrong side of the issue. You've been pretty direct and straightforward. But, I don't have the advantage that the rest of you have. I have to live in the same community with George. So, but anyway, George, thank you for your counsel. Thank you for your years before I was in the Senate. Thank you for the years that I've been in the Senate. And I know that you and your wife will enjoy your time and -- and I know the people in Peoria will maybe not be so happy that you're there more often than you're here, but, you know, they'll accept that. Thanks, George.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Link.

SENATOR LINK:

Yeah, that's what I say, George. George is one of the last of the back-rowers that we were. You know, George and I were in the back row for quite a few years together. I was smart enough to be at the opposite end of George, because you didn't want to sit next to George because everybody that was next to George

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decided to leave. Larry Walsh, Barack Obama, everybody moved out quite quick. But it was always interesting being near George and seeing him the first thing in the morning. And listening to his comments about what was going on in the day, especially when we were in the minority for those six years. His comments were a little bit more brash than they were when we were in the majority. But the meetings we have now in the majority and being in leadership together with George, they're a little bit brash, too, in some of his statements. He hasn't changed in those either. But, I got to echo some of the other comments about George and his heart. I've worked with George on a couple different projects and a couple different things and you find out the real Senator Shadid and you find out what he's really like when it comes to those kinds of push and shove moments. And, when you really need him on some issues that may not be downstate or upstate or collar counties or Chicago or where they're at - that they're Illinois issues and you present 'em to George in that way and he sees 'em in that way and he says, why are we talking about it, let's do it. And he understands that they need to be done. And that's the kind of person that we have in Senator Shadid and that we're going to miss. But, I do have to commend the people of your district that they did do something that - they went to the opposite extreme this time. That they went from George Shadid and they put a reverend in there now. So, they did get some wisdom in there of getting someone that is going to have us see the opposite side of you and that there is going to be some -- a little bit calmer individual coming into the Senate replacing you. But, George, one thing, there will never be a person to replace you. And I got to tell you, it's been a pleasure to listen to you, to take your guidance and to become a friend of yours. And I always will be and we will, I promise, when the President and I make those journeys, come and see you. Thank you for everything.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, George, what can I say? We go back a long way and Senator Link and I've had the pleasure of setting next to George for the last two years. And, the first day I was there my arm

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started hurting and I couldn't figure out why. Well, it was him hitting me every time - going like okay, okay. But we go back a long way. And, Senator, I wish you and Lorraine the best. He -- he used to call the house every morning - what, about an hour conversation? And I used to, like clockwork every morning by eight o'clock that it was George Shadid on the phone. I'd say, "Vince, Shadid's on the phone." "All right, tell him I'll be there." And they would discuss the -- the whole issue of the day. And, as the -- as our years went through, we had many trips together. What -- we took a trip to Florida and - he and Lorraine, and Vince and I - and so -- and over the years we've had many, many memories and the last few years we've had many, many good memories. And the last couple years as your seatmate, I want to say that I really, really appreciate your guidance. Some of your -- some of your thoughts were a little off-base, but that's okay. I didn't follow everything. Like Vince had said, "Don't listen to everything George Shadid would tell you." Okay. So, I did stick that in the back of my mind. But, I do want to say thank you very much for being a friend. And a friend to not only me, but also a friend to my family. My son and daughter-in-law and my children have been up to Peoria. Also, many of my friends have been there for the ballgames. Thank you to Roseann. She's been there with you. She comes out of our -- out of Gillespie and related to my sister-in-law and we cared enough to send our very best in to you when -- when you joined the Senate. So, we -- we really want to say thank you to Roseann, too. And, good luck to you and Lorraine. And, I know you're going to be calling me and I'm going to be calling you like you have. And, stay in touch with me, all right? God bless you and God bless to Lorraine.

PRESIDING OFFICER: (SENATOR DEL VALLE)

Senator Viverito.

SENATOR VIVERITO:

You know, I really wasn't going to say anything, because I knew there were so many people that wanted to say so many nice things about George. And, I really didn't have a lot of nice things to say. But, I -- I -- but I had to tell you that -- you devil you -- but George and I, you know, we share the office downstairs kind of with Ira and we've always kind of had a good

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rapport. He comes in grumpy, but after a while we really enjoy laughing and kidding with George. But, a few short weeks ago I was at a convention with my family, and others as well, and I had the opportunity to go over to see George at his office. And, we had a cup of coffee and we talked for a while. And George talked to me about his humble beginning and where he's at today and the fact that he never was able to get a PhD from Harvard or Notre Dame. And, the things that he accomplished touched my heart, because, frankly, it was almost like Ed's story as well, how much he's done for so many people in giving of himself. The fact that -- lost his son just a few short years ago - the -- the difficulty with that. And, then how proud he was to tell me, "You know, Lou, I'm going to have lunch today with my son, who's a judge." I mean, it's so warm. You feel so good that we, in America, have a father, a grandfather, a loving person here in the Senate and his son became a judge, but he never had the opportunity to go to college. George, it tells a story to all of us. You lived the American dream and we're proud of you. Thank you very much.

PRESIDING OFFICER: (SENATOR DEL VALLE)

The question is, shall Senate Resolution 912 be adopted. All in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Shadid.

SENATOR SHADID:

You're going to think this is a little silly, but we've been sitting here about three hours. I got to go to the bathroom. So, I'm going -- I'll be right back.

PRESIDING OFFICER: (SENATOR DEL VALLE)

We'll -- we'll stand at ease just for a minute.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR LINK)

Senator Shadid. Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Thank you very much. I feel better. My eyes aren't watering, are they? Okay. You know, I didn't expect you folks to get up and do all these things. And, so -- but I thought I better be prepared. So I took it upon

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myself to put together some notes and I brought my assistant with me. Roseann, did you bring my notes here? So, I'm going to -- we're going to stay here a long time. Hey, my friend, Roseann, has been with me ever since I've been down here. And, she is a wonderful lady. She's married to a nice guy, got two nice kids. And, when I interviewed her, she said -- first, I was without a secretary for about a month and a half. And of course, I got a lot of advice from a lot of people saying, "Oh, you ought to hire this gal or that gal or this gal." And you know, down here it's pretty hard to take everybody's word for -- whatever. So, I interviewed her and so I found out in that interview that she -- she used to work in the House and she had a couple kids and she decided she wanted to stay home and raise 'em. So she went home, started raising her kids and her husband got laid off and so after about six months, they weren't eating very well and I guess they weren't paying their bills too well. But anyway, she needed to come back to work, so I interviewed her. So, when she told me that she left to go home and take care of her kids and raise 'em, I said that's a great thing. I'm glad to hear that. And, she thought I wouldn't be so happy about that. But, that's what it's all about, with me. You raise your kids to a certain level and then you go to work, if you want to. It's up to you, but you've got an obligation when you have kids to raise 'em and be there with 'em. And I've stuck with that for a long time. And I just want to tell you that I grew up in a very -- oh, in a very poor family and my dad and mom had nine kids in Clinton, Iowa. I don't know if you know where that's at. It's somewhere close to Jacobs' place and also Sieben. Right across the river, on Mississippi River. And make a long story short, we were starving in the thirties. My dad had two dress shops and he lost 'em both. And, of course, I was only about six, seven years old at the time and I couldn't figure out why were we moving so often. We moved about every thirty days, 'cause we weren't paying the rent, I found out later. So, anyway, we got to Peoria, Illinois, and who would know that some guy who come from a couple immigrants and during the war years I didn't go through school very -- for very long - Eighth grade. And I -- my two big brothers were in the service and so my dad was having a little problem with the family, taking care 'em. So, anyway, I quit

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school and -- I didn't like school anyway. So -- so here I am. And, I've had a great, great time. And, I just want to make things pretty clear here. Emil Jones says how many times he comes to Peoria to see me. Him and Link and whoever else - Munoz. I never see 'em. They come to Peoria to go to the boat, for Chrissake. And, I'm glad they don't call me, 'cause they'd probably need some money. You know, I've got so many stories and before I start I want to just tell everybody I really, really thank you all. I thank the staff for the great job they do. Do a great job waiting on us guys and making sure we don't look stupid when we get up here and all those things. But, I do want to thank you and I thank all of you, all the staff and all. Jill, you've been great to work with. You know, when Clayborne says he comes to Peoria to visit, he comes to the ballgames 'cause he needs either some tickets -- and, if you've ever been to the IHSA basketball tournament, they have a little room that they serve free chili and all these things. And, I didn't realize you had about ten kids, for Chrissake. Every year he comes, he's got two more kids. I said, Jesus, you know. But, that's okay. I have no problem. But then he wants to sit in my front-row seats. You know, I always thought the Chicago guys were a little greedy, but -- them guys from East St. Louis there they can go a close second. I -- when I said I had a great career, I did. I've been very fortunate. And I think you guys and you gals will agree with me, most things in life happen when you're in the right place at the right time. Somebody gets to open the door for you, but then it's up to you to make the best of it. I just want to very -- sum it up very quickly to tell you I -- I've enjoyed all of you. I've had fourteen great years down here. And, I've surprised a lot of people that I'm still here and I haven't been thrown out. But, I am a little bit rough, sometimes. And with Emil -- where is Emil? Did he have to go to the bathroom again? Oh, no. Emil, you know when you say you and I had some well, sort of, hectic times, I'll say that. I was really only negotiating with you. Now, when I found out he needed my vote, you could take the leadership thing and, you know, do whatever you want with it, I had some other things on my mind. And I said, there ain't no way, Emil, I can go for that - no way. They're not going to run me out of Peoria. But needless

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to say, on one particular vote and I won't even tell you what it was, I told Emil - and by the way, you know, when you come down here a lot of pretend people say to you, don't ever be the thirtieth vote. Don't ever be the thirtieth. Well, I got news for everybody. Emil came to me, he says, "I need your vote and I got to get this." I said, Emil, if you get twenty-nine votes I'll be number thirty. In the first place, I didn't think he'd ever get twenty-nine votes. But he did and he said to me, he says, "Are you crapping me? You're going to be the thirtieth vote?" I said, "No, I'll be there." Well, needless to say, he twisted a lot of people's arms. And I saw that thing light up. Twenty-nine, I hit thirty and they shut the votes off. That was it. But, Emil, you know, I just appreciate working for you, working with you. It was more like a team thing, it's more than that, than a boss. And as you know, we're all independent contractors and we're here because people vote us to come down here. And, we -- so, I just want to tell you all again that my wife is waiting for me to come home and she said, "If you don't get home pretty soon, I'm going to leave you." And after fifty-three years I said, "Where in the hell would you go?" Once again, thank you all very much and if I -- if I bothered you or insulted you, I meant it. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, do you have any resolutions on file?

SECRETARY HAWKER:

Yes. Senate Resolution 913, offered by President Emil Jones, Senator Watson and all Members.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, please read the resolution.

SECRETARY HAWKER:

(Secretary reads SR No. 913)

PRESIDING OFFICER: (SENATOR LINK)

Senator Jones moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Resolution 913. Those in favor will say Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Senator Jones now moves for the adoption of Senate Resolution 913. Is there any discussion? Senate President Jones.

SENATOR E. JONES:

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Thank you, Mr. President. Once again, we have to say so long to a good friend, great lawmaker. Miguel del Valle and I have served together in this Body for twenty years together. And during those twenty years, he's always been a great, great teacher in this context, understanding the issues as relate to the people he represent, the people across the State of Illinois. As written in the resolution, he championed the causes as relate to immigration rights. He championed the causes as relate to education. And you learn from an individual when you begin to talk to them and find out why they take a position on certain issues. We have four Latino Legislators in this caucus. It was he who had the courage to stand up during the redistricting in 1981, and said, "No, we need a map that will enable Latino Legislators to get elected." It went into federal court and won. In doing so, we now have four Latino Senators and I don't know how many Latino Representatives in the House. But fighting for representation of individuals who have been disenfranchised and he fought and won. So, I have the utmost respect for you, Miguel, and you fought for issues, I recall. I was with him at a -- a conference for the Latino Foundation and I met this here very young, talented, smart valedictorian of a school getting ready to graduate and whatnot. And many kids getting ready to go off to college. Sometimes they get -- are able to get cars and everything and this young lady could not -- could not get a driver's license. She could not get her driver's license, and -- which is really ridiculous. And so the causes that he fought for, when you understand the reason why he fought for them, every child in this country deserved those same individual rights. And, Miguel, as I indicate to you last evening, the issues and things that you fought for, just because you're leaving, does not mean that those issues will die with you. We intend to carry on, on this side of -- of the Chamber, trust my colleagues on the other side with the understanding -- with the understanding that these issues are for Illinois citizens. The -- the fight that -- the fights that you have had on those issues, you have much broader support today because you have educated many of us as to the reason why we should take positive action to deal with it. Not only in his district - be it Elgin, be it Aurora, be it Peoria, be it wherever it is in the State of Illinois, he has

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traveled the State to deal with these type issues. When I received the call from him and he said, "I want to inform you that I -- I received a call from Mayor Daley, the big mayor, and offered me this position as City Clerk." I told him, "You can't do that." I said, "You can't leave us now," I said, "because we need you here." I said, "I wish you well if you decide to take it, but you really can do both, you know. You can -- be City Clerk and also you can be a State Senator. You don't have to leave now. You can get two checks, you know." That's right. You really can stay. But I really hate to see him go, because he's been such a champion for the causes of those who are disenfranchised in our society. And -- and he's been a good champion. And when I said a good teacher, 'cause you learn from your colleagues in this Body. And when you learn from your colleagues in this Body, it make you a better -- representative. You are better able to serve our constituents. So, Miguel, we wish you well in your endeavor as the new City Clerk. And I'm quite sure that all the Senators who come through the City Clerk's Office will be -- receive one of those nice stickers at a discount. See, when you become a senior citizen you automatically get 'em at discount. I get -- mine's at discount. Well, I'm quite certain you will do well - a man of integrity, a man that -- that can get close to the mayor and educate the Mayor of the City of Chicago of what the problem is on education and how -- how he can do a better job in making the quality of life better for the people of the City of Chicago, making the quality of education better for the people of the City of Chicago. So, I'm quite certain you will do quite well. And -- and -- and with -- with Miguel and Marty Sandoval raising heck about those schools over in his district. See now, you got -- you got Miguel del Valle with the Mayor's ear and the Mayor has the, you know, influence over Arne Duncan. You can get that new school built. So, what -- what I'm saying to you that you can -- he can be a tremendous asset not only as being the City Clerk, but a asset as relate to educational issues that impact your own community and the same issues that he's addressed down there he can -- he can have more influence in getting it done in the City of Chicago. So, we're going to miss you, Miguel. I know you will come back and pay a visit. But, I want you to rest assured

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that the things that you fought for, the issues that you champion, we intend to carry out and continue to fight to make sure that all citizens of this State and people of your community as well are represented. Good luck to you and God bless you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sullivan.

SENATOR SULLIVAN:

Fifteen years ago this month -- or actually on the seventh of November, our youngest son, Mark, was born. And he was born early in the morning and after he was born I was at the hospital with my wife, Joan, and -- and it started to snow. And it started light and then it got heavy and it snowed and it snowed and it snowed all day. At about three o'clock in the afternoon, I headed home from the hospital. The roads were still in pretty good shape at that time. And I went home and I picked up my -- our three older children, because they wanted to go to the hospital and see their new sibling, their new baby brother. So, I loaded them up into a four-wheel-drive pickup - had on hats and boots and coats - and we proceeded to head to Macomb where Joan was at the hospital with Mark. I went about eight or nine miles and by this time the roads were not in very good condition. There was probably eight or nine inches of snow and they were slick and there was cars off in the ditch, both sides of the road. And -- and I went by this one car and I saw that there was two people sitting in that car. And so, kind of without thinking, I just -- the -- the car was in the opposite ditch and I just took my truck and just did a u-ie and pulled off to the side and I backed up to the car and a gentleman got out and he had on a suit and tie and little thin shoes. And I jumped out and I grabbed -- had a log chain -- had a chain in the back of my truck and I threw it on my truck and threw it on the bumper of the car and I said, "Put it in neutral," told this gentleman, "put it in neutral and I'll pull you out." And I pulled him up out on -- onto the road. I jumped back out, took the chain off and started to get back in the -- my truck, and he said -- he was fumbling for his wallet and he said, "Wait, I want to give you something. I want to thank you, you know." And I said, "No. No, I don't want anything." You know, just good luck and I continued on my way. About -- about two weeks later, I go a -- a

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letter came in the mail from Senator Miguel del Valle. And I thought what in the world is this? And I opened it up and the letter said that he was -- he and his assistant, Luz, were the two individuals that I pulled out of the ditch. They were headed up to Western Illinois University, up to Macomb, to give a presentation at the University and he -- he simply said, "Thank you, and if there's any -- ever anything I can do to repay you, let me know." Let's fast forward ten years. We took that letter and we put it in Mark's baby book and ten years later, about five years ago, I decided I wanted to run for the Senate. And I -- my wife, I said, "Do you still have that letter?" And she said, "It's in Mark's baby book." We got the letter out. I read it again. Hadn't seen it in ten years. And I thought, I wonder if he is still a Senator. I wonder if he's a Democrat or Republican. I didn't know. I came over to Springfield. I asked somebody, "Is..." I had the letter. I said, "Is -- is..." I couldn't even pronounce his name. I said, "Is this gentleman still here?" They said, "Yes, he's right down the hall there. His office is right down there." I met Miguel. I met Luz. I said, "You know..." I said -- I showed him the letter. I said, "You know, it says here if there's anything I can do to repay you." I was sitting here a little bit ago and up behind all of us on the wall is some words that Abraham Lincoln spoke in November of 1863, and the last line says, "And dedicated to the proposition that all men are created equal." And I thought, that's what Miguel del Valle is all about. You've taught me so much - leadership, passion with the issues that you believe in. I want to thank you for your friendship and, Miguel, your debts are paid. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Cullerton.

SENATOR CULLERTON:

...President and Members -- Members of the Senate. Okay, now there's five ways -- there's -- there's five ways to leave this place. There's five ways to leave this place. I'm going to give you the -- the five ways in the order of least favorable to most favorable. The worst way to leave this place is to die. If you die, you're not in the Senate anymore. The second worst, not far behind, is get indicted. If you get indicted, you got to leave

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the Senate. A bad thing, but much better, is you lose an election and then you have to leave. Okay? I used to think the best way was the -- the fourth way and that would be that you -- you retire with a full pension. But, there's really a fifth way and Senator Petka and Obama and Fitzgerald and Roskam and Senator del Valle have done that. You leave the Senate and you go on to continue to serve in another office. Miguel, I can tell you, has a great, great wife and family. They are brilliant children, who Miguel will tell you, take after their mother. And he also has a tremendous reputation, of course, in -- in his community having been the first Senator -- first Hispanic Senator in the Illinois Senate. When he became appointed, you know, a lot of people in Chicago they don't follow us down here that well. They don't know that much about what we do. So, I got a call from a few people that said, "Hey, this guy del Valle is running for City Clerk. You know, it's a Hispanic name, you know, maybe -- maybe there's some other people that might want to run against him." I had some people say, "Maybe -- maybe I can -- how do you think I'd do?" I said, "You don't understand. This guy is a famous guy. He is a famous guy not only in his community, but down here as well, because of the groundbreaking that he has done." The editorials that came out in the Sun-Times and the Tribune said the Mayor made a brilliant move, which he did, because this man is independent, he is dedicated to education as an issue and he has the competence that will hopefully result in no one daring to -- to run against him. So, Miguel, I think you're -- you're doing what all of us really would like to do, to -- to go out the best way - the fifth way. And, I really wish you well. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Martinez.

SENATOR MARTINEZ:

Thank you. And, I -- I -- I am here today because of Miguel del Valle. Miguel del Valle, in our community, is a legend. He's a man who for many years, and I know we're not too far in age, but someone that -- I worked in the community for the past twenty years working on -- on issues always in the community working in the Mayor's Office. And I remember the day back in -- about five years ago when the whole remapping was occurring,

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Senator del Valle called me. Now, the funny thing is that Senator del Valle is -- to get his support, is not the easiest thing. If Miguel puts his support behind someone, it's because you've got to be someone who is willing to work, someone who is going to deliver to the community. Miguel never endorses just to endorse. It's very rare the few people who will get an endorsement from Senator del Valle, and let alone people who, at the time, worked for the Mayor's Office like I did. You know, people who worked, you know, in organizations. But, I remember Senator del Valle called me and says to me, "Iris, we're in the middle of the remapping here and I just want to -- I'm checking on your address." And I said, "Why are you checking on my address?" And he says, "Because, you know, it looks like with the remapping we're going to have another seat and it may open up a brand new seat and I think that it's time for a Latino woman to run." And the first thing I did was I had to laugh because I said, "You've got to be kidding me, right?" And he says, "No, Iris, I'm -- I'm really serious. But, I want you to think about this and -- and -- and really give it a lot of thought because I don't really reach out to people as often as people would like me to, as far as running for public office. I -- I just want you to think about it and know that if I'm reaching out to you, it's because I really believe that you can do a good job. And, I -- I've seen your work in the community. You came down to Springfield. You lobbied a little bit down here on behalf of the Mayor's Office and I've seen that you can probably do this well." And I -- I first thought this is not something that I really want to do because it's -- it's scary in the fact that to run for a district like the district where I live, which I know was part of Miguel's old district, would be a real challenge. Especially, you know, running and -- and -- and trying to follow someone like Miguel del Valle in our -- in our community. There's a saying in our community that -- well, the name that we've given Miguel is "San Miguel". "San Miguel" is St. Michael, because he is a man of integrity, someone who the community loves and adores and knows that it's the man with the most highest integrity in our community. And I remember that when he said to me, "I'm going to -- I'm going to stand behind you," it was an honor for me, because here was a man who was calling me, reaching out to me and

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saying to me, "You can be the first. I was the first Latino. I want you to be the first Latina." And that to me was an honor. When I went and I talked to the Mayor -- "First, I got to go talk to the Mayor, 'cause, you know, I do work for the Mayor. I want to make sure that, you know..." -- and he goes, "Well, I'm going to tell you something. Along the way, you're going to be told -- they're going to make you offers. The -- the Mayor might even at one point tell you to get out of the race, because maybe something else is going on. I want you to know that if I'm standing behind you, I'm standing behind you a hundred percent, but don't walk away from this if something else comes up. Are you willing to stay with it all the way through?" And I said, you know, it was a very tough decision because sometimes things don't work out the way they're supposed to based on just things that -- political things that go behind the scenes. But, I knew that when this man called me and told me that he was behind me a hundred percent, I knew that he was going to stand by me no matter what and -- and he was right. You know, along the way people did call me and say, you know, this, maybe you're better doing this or we'll offer you this. And I said, "No, I have a mission and that is to respond to the man who called me to become the first Latina." And I say to you, Miguel, today, thanks to you. Thanks to the vision, as far as the remapping and -- and making sure that more Latinos are represented down here in Springfield. I thank you, on behalf of all the Latina women. We thank you because you believed in one and I will continue to carry this mission on, no matter where I go. I'm going to miss you because I always look for the mentorship that you give me. When I came down here, I was so afraid. When I first went to orientation, I thought for sure I was not going to make it through this. And, you know, and -- and it was -- it's been a great experience. But, I thank you every day for the last four years of my life here -- down here representing our communities, teaching me everything I need to know about being a good Senator, someone who has nothing but honest things to being back to the community. When the Mayor -- I remember when the Mayor said to me, "You mean Miguel del Valle's with you?" And I said, "Yes, Mr. Mayor, Miguel has -- has -- he's offered me his support." And he says to me back then, he goes, "God, for the first time in

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my life, I'm going to be on the same side with Miguel." And -- and, today, you're going to be the City Clerk. So, it's -- it's great to know that a relationship came out of all this. There's a lot of people that I think really came to admire you and respect you even more, based on the work you do. But, I know in our community, you will always be the San Miguel that we all love and cherish. And I wish you the very best. It's going to be great to -- seeing a City sticker with your name on it. It's going to be an honor for us. But, I know down here we are going to miss you because you have so much to give and so much to offer. And, from the bottom of my heart, I love you, Miguel. Gracias.

PRESIDING OFFICER: (SENATOR LINK)

Senator Winkel.

SENATOR WINKEL:

Miguel, I've really only had a chance to work with you a short time - been just four years here in the Senate. But, I have to tell you, it's been a great education. I -- I didn't realize that you were schooled in teaching. You are a great teacher. I learned so much from you, in committee and working with you on issues that -- that we care about. I learned that you can take a great deal of passion and energy and -- and -- and take it maybe from anger, but making it very productive and learning how to channel it and making things get done, and how to persevere and -- and move things forward. And, some of the things that we worked on like education funding, hey, we didn't -- we didn't achieve it yet. Yet. Yet. But you're moving on into a position where I believe that you're going to be in a position where you can still have an impact on that issue, and I hope to do the same. And, I know that when Senator Meeks and you and I were working last Session, the -- last couple years on this issue, I know that that's still an active issue. It's an issue that you care deeply about. And I just want to say that I -- I thank you for your perseverance on that issue of education funding. I know that we can work together in the future, even though you and I won't be here in this -- this Chamber, but we can move that issue forward and look forward to working with Senator Meeks and the others as we move that forward. Wish you the very best. I know that you'll do a great job as City Clerk.

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I know you've got to campaign. I know you've got to get those petitions in and good luck to you. And, I appreciate your friendship, all the things that I've learned from you and I wish you the very best.

PRESIDING OFFICER: (SENATOR LINK)

Senator Munoz.

SENATOR MUNOZ:

Senator del Valle, you are truly a gentleman and a scholar. Gentleman being you've got a kind heart, you're willing to help out people. Also, if I may share a little story with everyone here, my first day on the Senate Floor, Senator del Valle comes up to me - had never met the man before - but, I did know one thing, he was very, very close to the man that I had just beaten in the primary. He came up to me. He says, "Welcome to the Senate. My friend, as you probably know, I was sorry to see him lose and I've been his friend for a number of years. But again, I want to welcome you. I look forward to working with you and anything that I can do to help out I just want you to know that." So, at first, I was thinking, did he really mean it? Should I go ask him sometime? Well, Ladies and Gentlemen of the Senate, I can only say after eight years, he meant every word of it. Came out to be a great friend. Helped me pass a lot of legislation and I learned a lot from you, my friend. So -- and I appreciate that. You're going to do an outstanding job as a City Clerk. We're all going to miss you and I know you're going to miss the Senate, as well, after being here all these years. It was a little unexpected and I'm sure you're still surprised at leaving. I know you always have so many things that you want to do. You being the scholar that you are, champion of education, there's nothing that you don't know about education. So, I look forward to you -- working with you, 'cause I know you're going to be working with the Mayor's Office on education issues. So, I'm sure we're going to be seeing you back down here in Springfield. But, again, my friend, thank you for everything. You are a good friend. We did the caucus together. We've had the Latino caucus now for a number of years. So, I think we've done some good things together. Again, I wish you the best and God bless.

PRESIDING OFFICER: (SENATOR LINK)

Senator Schoenberg.

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SENATOR SCHOENBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We all know that Miguel del Valle was a pioneer, but Miguel del Valle's pioneering spirit did not just come from being the first. If you put it in the context in which Miguel del Valle became an elected official, you will admire this man even more. Miguel probably doesn't even remember that he met me in the late 1980s when he was actively involved in a very small organization that hasn't been in business for a number of years called PROCAN. It was the progressive candidates network. And when Miguel del Valle became a pioneer, he was leading a historic fight - not just to be the first. We all, in whatever we do, want to be at the first of the line in our respective endeavors. But Miguel was at the front of the line as part of a movement. It was a very heady time in Chicago politics, at that time. Harold Washington was concluding his first term as Mayor. It was a breakthrough for community political empowerment in the African-American community and the Latino community and for progressives and communities throughout the City of Chicago who felt that the old way of doing business had to be changed and that we were all equal under the law and that there needed to be greater practical application of that legal principle, both in how the laws were passed, enforced, and how resources that contribute to the quality of way of life in our families and our households throughout the area on how that manifests itself as well. I met Miguel del Valle at a time when Chicago politics and Illinois politics arguably were at a critical historic breakthrough. And he was at the front of the fight. And as we all know, sometimes you have to lose some fights in order to win some larger battles. But, the reason why I was able to be inspired by Miguel del Valle when I met him was that his fights were grounded, not in personalities, but his fights were grounded in principles - principles which all of us have had a chance to learn and had a chance to share. He's an incredibly grounded individual. He's an incredibly independent thinker. There's a cost in politics, at times, for being an independent thinker. Certainly, when democratic politics were at that critical watershed during the Washington administration, Miguel del Valle did not back down. And, not only did he help open doors later on

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in history for some of us who are here in this Chamber, but he opened up many other doors. And, some of them were harder to open than others, all in the name of community empowerment. And, the attainment of power in and of itself isn't enough, as we all know. It's how that power is applied and toward what goals and toward ends that power is applied. And the fact that Miguel del Valle was a leader in opening doors so that people in communities who shared a set of principles with him, particularly those who were disadvantaged so that they could advance, we're all richer and we're all better because of it. Miguel, you have stood out, not in -- not just in the issues for which you've been such a strong and effective advocate, but through the qualities that you've demonstrated in fighting those fights. Those are qualities that I know in my public service I've sought to emulate. Those are qualities I know that all of us seek to emulate. And, that's truly your legacy. And, for that, we're all blessed. Congratulations.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

Senator Schoenberg stole a lot of my fire. You know, I -- I believe that if "progressive public servant" were in the dictionary, Miguel del Valle's picture would be right next to it. Notwithstanding, how others are trying to label his recent appointment now, you can't erase your years of service and the deeds and your advocacy for education, in particular, just based on perceptions by the media largely. And, I'd like you to know that I -- I observed and was inspired by you. And, I don't know if you recall many of the -- of my colleagues in the Chamber may not know that my -- I first sought to be in this Chamber in 1996. I ran for State Senate in 1996. And at that time I believe, Miguel, you were in the -- in the Black Caucus. And, the Black Caucus -- and I presented before you and Senator Hendon and others at the Quality Inn in Chicago and I remember your -- your advocacy then for education and your making sure that all the candidates, potential candidates, knew that they had to fight just generally a -- a very progressive fight, but how education had to be prioritized. Obviously, I didn't win back then. But watching you over the years inspired me not to quit. And so it

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was a great pleasure when, after coming here two years ago, and after being appointed to the Racial Profiling Task Force by the Governor and you and I shared the experience of -- having -- being given no direction as to exactly what the Governor wanted and we were put in the middle of sniping from community activists and law enforcement. I -- I was happy to have you there as a co-chair to -- to survive that experience and get something productive out of those meetings. And -- and, I don't think I would have been able to do it, without you by my side. Now, as I shared with you, both Stephanie Neely and Arne Duncan were high school classmates of mine and -- and I think the -- a testament to your years of service and your advocacy for education is -- is basically the changing of the definition of what the City Clerk is going to be involved in. It's not going to be about City stickers. It's going to be about bringing your advocacy for education and changing the -- the way the City of Chicago approaches education policy from within. And -- and that's very much needed. And, I know from speaking to Arne that he appreciates -- he says, Miguel gets it. And that's why you're there, notwithstanding, what everybody else has -- has said. And, so, I -- I appreciate having been able to serve with you here and I -- I'll appreciate the years to come so we could fight for equity in education.

PRESIDING OFFICER: (SENATOR LINK)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Many of you know that I was a high school government teacher - taught government in high school. And -- and, especially social studies teachers, very often, if they want to relax for a day, they throw a movie in the machine and that kind of thing. Well, our -- our library received a videotape one time, a long time ago, that was on the Illinois Legislature. I don't know if anybody has ever seen this. It's probably near twenty years old. And, featured in the videotape was Speaker Madigan talking about the legislative process and, I think, Representative Lou Jones was featured in the -- videotape. And Miguel del Valle was in the tape, as well, articulating, very eloquently, the legislative process, his priorities for education and the fact that he was the first --

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the pride in the fact that he was the first Latino Legislator. So, it was a very interesting tape. But Miguel, if you've got that cheesy yellow sport coat you had in that tape, please -- please get -- please get rid of that. I -- I'd just like to say that when I -- when I came down here with my background in education, one of my first bills regarding -- had an issue dealing with high school education. So, -- and I knew Miguel's reputation as an expert in education. I went to his office - a little bit nervous, 'cause he had the office, you know, a leadership office - and was willing to see me and I asked him what he thought and he told me. And then he stopped and he said, "Well, what do you think?" And I thought, wow, what do you mean what do I think? And, he knew my background and he was actually interested in what I had to say. Miguel, you're -- you're the first person here that made me feel like I belonged here. And, I think, the reason this Body has so much respect for you is that you have demonstrated so much respect for us. So, thank you for your service. And, now, I've got to trudge through the snow this Saturday and circulate petitions, but I'm proud to do it. Thank you very much.

PRESIDING OFFICER: (SENATOR LINK)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. Isn't it a shame that you have to leave in order to get to know you? I mean, really. The resolution and then the -- everybody talking about -- about you. Maybe we ought to set aside a day where we just write resolutions for everybody and -- and everybody get up and say nice things so we get to know these -- each other. I mean, it is a shame. I've learned more about Miguel del Valle in the last hour here than I -- I knew about him before, and -- and that's too bad. That's too bad. What great stories. I mean, John Sullivan, that was fabulous. I didn't -- I've never heard that. I don't know if those of you on this side -- you hadn't heard it. Well, that's - that was a great story. And -- and John Cullerton, now we have five ways -- George Shadid taught us now there's six. There's six ways to leave the Senate. George Shadid taught us that just a few minutes ago. So, that was amazing. That was truly amazing. I've -- I mean, I've never... But, the -- I think it was

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Miguel's first term, I believe. Do you know what I'm -- the story I'm going to tell, I guess? And I don't remember who went with us, but, you and I and I think Roger Keats, of all people, and those of you remember Roger Keats, of all people, and I don't know who else. But we went down to Collinsville and I don't know, was it Cinco de Mayo? What'd we go down there for? I don't know. Racetrack? I know we went to the restaurant. Okay. We went to Ramon's. What we did is went to Ramon's El Dorado Restaurant - great restaurant in Collinsville. It's one -- it -- it is a -- in St. Louis area, it's the Mexican food, it's one of the highest rated -- restaurants in the area. And, we went down there. And, Ramon's been a very good friend of mine - I got to know him. He started selling tacos out of the trunk of his car at the racetrack, Fairmount Racetrack, literally, trying to raise his family, earn enough money to -- to move on. He bought a gas station, at this location where we went to that night. He bought a gas station and put in three tables and opened up a restaurant. And, now, it seats about three hundred and fifty to four hundred people - very successful story. We went down there and had dinner. And -- and, you got to know Ramon. You didn't know him before that. Ramon Otero and his family, they all worked in the restaurant and -- and so you got -- you hit it off very well with him. And, you invited him and his family up here and they were - - actually, catered a couple of your Cinco de Mayo events. And, he's never forgotten that. He still talks about that. Stella, his wife, I mean, they just think the world of you. You didn't have to do that. You didn't have to do that and you did. And that's -- that's the quality of the character of the person I'm talking about. And, that -- that just means so much. And, what -- what a -- what was it -- that was said here a moment ago? A man of personality, but a man of principle. Jeff Schoenberg. What a -- wouldn't it -- when we all leave here, if that can be said about us, Amen, brother, and -- we've done our job. And, that was very well said. I looked at -- and we served on the Education Committee and we talked about that a little bit yesterday and some of the things that we did to try to better the opportunity for children in this State. And, you were an independent voice. You always have been. You were -- you were a strong advocate for children and education and quality. Give

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everybody an opportunity and that I appreciate. And we talk about the presidents -- the education president, the education Governor, but my friend, you were the education Senator. And, I -- I just wish you well. You've been a wonderful friend. You've been a -- we, obviously, haven't always agreed. That's -- that -- that goes with the territory, but you -- what you did believe in you believed in with your heart. And that's what -- that's -- that's told me something - showed me something. So, good luck to you, Miguel. Appreciate your friendship.

PRESIDING OFFICER: (SENATOR LINK)

Senator Sandoval.

SENATOR SANDOVAL:

Thank you, Mr. President and Members of the Illinois Senate. Just a few weeks ago, I've had the honor and distinction of being the only person sitting in this room today to witness the taking of office of this elder statesman, who became the City Clerk of the City of Chicago. I was -- I sat there with his lovely wife and his son, as part of his entourage, as I witnessed the City Council of Chicago and Mayor Daley confirming his appointment as City Clerk of Chicago. What an honor and what a distinction it was for me. And during that ceremony, Senator, I had a chance to sit on the bench there listening to the accolades bestowed upon you by the City Councilmen of the -- Chicago. And as I sat there - just like in the movies as the -- the young man who sits on a park bench thinking about the future or thinking about what happened as the movie shoots forward sometimes - and I sat there and I remembered as also a young man who has in his career been tapped by the Mayor of the City of Chicago to serve in public life on several occasions, I sat there thinking about the man, the legend, Miguel del Valle. Miguel del Valle, for me, who I've just known, really, recently. I met him in 1999, when the Mayor of Chicago asked me to leave my federal career to accept an appointment by Governor George Ryan to be the first Latino commissioner at the Metropolitan Water Reclamation District. And, it was in 1999 that I had my first encounter with Senator Miguel del Valle, 'cause he was one of the first few men that I had to go see. Now, not knowing about the regular Democratic Party, not knowing about Republicans, not knowing about -- anything about politics, 'cause I was a federal employee, I knew

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that I had to go see the great Senator Miguel del Valle, ask for his advice. In 2000, just a year and a half later, when I ran for my first election in a countywide race, six million people in -- in Cook County, the second largest county, a Latino with a name like Sandoval was going to have a real tough time getting elected by the electorate. I felt an instinct, once again, to go see Senator Miguel del Valle. And, Senator Miguel del Valle was one of the first few men who was there for this young man named Marty Sandoval, as he launched his -- his public career. And in 2002, once again, when I was tapped by the Mayor of Chicago to leave the Water Reclamation District and run as the first State Senator to represent the 12th Legislative District, the first man I went to see in his office was the great man, the great legend, Senator Miguel del Valle. And I had -- this was a special visit because Senator Miguel del Valle, as history knows, was the first Latino Senator ever to serve in the Illinois Senate. And it was Senator Miguel del Valle who provided me the strength, the courage, the wisdom to put -- put it together in 2002 to win the primary. And it was not a difficult time, because in 2002 the Dons of the great southwest side of Chicago weren't necessarily supportive of this young man, Marty Sandoval. And, it was once again the man, the legend, Senator Miguel del Valle, who stood up and called out Speaker Mike Madigan, one of the most powerful men in Illinois. And, it was Miguel del Valle that stood up with me and called out Congressman Bill Lipinski. And, it was Senator del Valle who stood up with me and called out my Alderman Edward M. Burke, one of the most powerful men in Chicago. And, it was Miguel del Valle who stood there with Emil Jones, with me, in 2002 against Pate Philip, who had gone to federal court in attempts to break up the map that had -- that was going to bring the first Latino female Senator and this young man to the -- to the Legislature. It was Miguel del Valle who led the charge to elect what is today the Latino Caucus in the State of Illinois. Miguel, thank you for being there. Thank you for my success. You have made great contributions, not only to the Latino community, to the -- all the people of the State of Illinois. Many times I feel that in my four years in my first term you have been like Obi-Wan Kenobi, or maybe just like Kung Fu with the young grasshopper. And, as I sat there in the Appropriations

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Committee and as I would sit there -- as I would sit there calling out every department head in the State of Illinois for the last four years, how many Hispanics do you have, and how many of this and how many of that? And, you sat there. And many people would not know, but it was Senator Miguel del Valle who took time out over the last four years to come to the Crowne Plaza and to sit down and talk policy with Marty Sandoval. And, it was Senator Miguel del Valle that would take time out to go have a beer and some good Mexican food at La Mex over by the Crowne Plaza. And, it was Miguel del Valle who would take time out to come to the town of Cicero to talk strategy. And, Miguel, you really have taught me to a certain extent how to use the force. And, I'm not the same Marty Sandoval I was four years ago. Amen, right? But, I leave you just with these last two anecdotes and it tells you the caliber of the man in the -- the -- what Miguel has meant to -- to me. President Emil Jones told me when he made me a chairman of a committee, he said to me, "Marty, Marty, Marty, I'm going to make you a chairman, but remember I want a strong chairman, a strong chairman and I want you to make the decisions about what goes on in your committee." So, I took that to heart. I figured what Senator -- President Jones was telling me was the truth and this is what he expected of me. Well, there was a bill called, "Opportunity Returns" - Major bill of the Governor and carried by my colleague, Senator Don Harmon. And, it came to my committee and it had some flaws. It has some major deficiencies. And, so I told Senator Harmon, "Senator Harmon, I am not going to call this bill. It has some problems. Go back -- go speak to the President. Work on the bill and when you're ready I will call the bill." He looked at me kind of fish-eyed and said, "Marty, you got to be kidding. This is the President's bill." Well, just a couple hours later I got a visit by his Chief of Staff, Jill Rock. And Jill came to see me and says, "Senator Sandoval," in a real quiet demeanor sitting -- leaning over in my -- on my desk, "Senator, the President would like you to move his bill today." And, I said to Jill, I said, "Jill, respectfully, I am not inclined to move the bill. Let the President know that he's got some problems. And, I will not move the bill today, unless I see an amendment." And she looked at me fish-eyed and she said, "Senator, Senator", and

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her eyes got kind of watery and glossy and she said, "Senator, do you know what you're doing?" And, she left. Before committee -- Senator Harmon was sitting in the front row chairs and ready to present his bill and I -- we went through the day's business and I adjourned the committee and I did not call Senator Harmon to present his bill. I got a call from the President - to go see President Jones. And he -- he was slouched in his chair and said, "Marty, I told you I wanted a strong chairman, but you realize you have to make exceptions for the President." Little did I know that -- I said, "Mr. President, I understand." I said, "But you know we do need an amendment on the bill." And, so, he left and he said, "Marty, I want you to be a strong chairman, but I'm going to send Senator del Valle to come talk to you." And I got a visit by Senator Miguel del Valle and -- and Senator del Valle said, "Senator, if you know what's good for you, move the bill." And so forth, history dictates "Opportunity Returns" moved out of the Committee on Commerce and Economic Development. And just the -- the last anecdote I'd like to share is I remember the day that this young grasshopper was perturbed about not being able to pass a piece of legislation with friends on my side of the aisle. It was late in the evening one day as -- right before we were voting on the budget and I decided to take a ride. I decided to take a ride on the other side of the aisle and I sat right next to Senator Adeline Geo-Karis reading the newspaper as the budget bill was debated. And, of course, it was sacrilegious to go on the other side of the aisle because we are the Democratic Caucus. Well, I felt that I needed to send a message to my colleagues that what I was fighting for in my community was very important. And, so, they went on to send Senator Hendon, and they went on to send the Senator Reverend Meeks. Eventually, I remember once again the master, the legend, Senator Miguel del Valle walking over graciously and saying, "Marty, if you know what's good for you, you'd get out of the chair." Senator Sandoval left the chair and went back to his office. Miguel, I love you, you're the best. You -- you leave the Illinois Senate on the top of your game. You leave a successful man, a man who has left an imprint on the State of Illinois and you go on to bigger and greater things in the City of Chicago, and we love you and we look forward to working with

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you. God bless you and your family.

PRESIDING OFFICER: (SENATOR LINK)

Senator Burzynski.

SENATOR BURZYNSKI:

I've forgotten. Anyway, you know, what a great -- stories. And I agree with Senator Watson, you know, we don't get a chance to know each other through all of these old stories. John Sullivan, what a great story that was about how you met Senator del Valle. Now, I can only say in all honesty and all truthfulness I wished I had been the Senator you'd pulled out that night. But anyway. Honesty. Senator del Valle, you know, I have to tell you I've served on the Education Committee with you for many years now and it's been a pleasure doing that. And, one of the things that has always struck me is that you have always had the ability to impart some wisdom about Chicago public schools. But not only that, but also education, in general, on the rest of us. And, I certainly have enjoyed learning under that type of sitting. I also just want to point out, and all of you know this, that this is a guy who - very sincere, very truthful, very gracious. And as chairman of the committee, he was always very gracious to us, and I appreciate that and also very passionate and compassionate. And, I just want to tell you that we're going to miss you here in the Illinois Senate. But, I expect -- in fact, I -- I will be very hurt if my phone doesn't ring someday and it's not you and saying, Senator Burzynski, I'd like to talk to you about Chicago public schools. And I expect to hear that phone call. And if you're ever in the 35th Senate District and you slide off the road, give me a call.

PRESIDING OFFICER: (SENATOR LINK)

Senator Collins.

SENATOR COLLINS:

I know it's late and so... But I wanted to open and close my remarks with a quote that I think defines the dignity and the decency of the man Miguel del Valle, as well as what it means to be a public servant. And, I think so many beautiful things have been said. So I won't repeat some of the things I had that I wanted to say. But, I think this quote from Abraham Lincoln truly exemplifies the man that we are speaking to and paying tribute to. And it's a quote that I'm sure you're very familiar

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with, but I think it is Senator Miguel del Valle. And President Lincoln said, "A politician works and looks to the next election, but a statesman works and looks to the next generation." So, I thank you, Senator Miguel del Valle, for the statesman that you are, for raising such a passionate, powerful and prophetic voice for all those who have been marginalized in this society. For when we speak and give voice to the voiceless, I think we truly celebrate the best of what makes us human. So, I thank you. And, thank you for all your service.

PRESIDING OFFICER: (SENATOR LINK)

Senator Meeks.

SENATOR MEEKS:

Thank you so much. I wish a slouch or slob like DeLeo was leaving and we would have been out of here a hour or two ago. Nobody would have had anything to say. Senator, I love you. It's getting ready to be a snowstorm. Unless Sullivan has fifty of those chains, we got to go. And, unless he's willing to pull all of us out, let me simply say, I would hope that there's somewhere in the rules of the Senate when we finally pass some substantive education bill that you could be an honorary chairman or co-chairman or co-sponsor of that legislation. We love you.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Resolution 913 be adopted. All in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted unanimously. Senator del Valle.

SENATOR DEL VALLE:

Thank you. Well, I'm glad some of you have -- I'm sure some of you are thinking, I'm glad he's a man of few words, unless he's speaking about education. And -- and, we're not going to do that. I -- I want to thank all of you for your kinds words and your thoughts and -- and all the -- all the -- all the folks that have approached me during the last few weeks to wish me luck and to -- and to offer assistance and to thank me for the work that we've done over the years. It -- you know, I came here and I started a campaign in my first primary with three hundred and fifty dollars out of my pocket. And, not ever having run for any office and not ever even thinking about running for office. I registered and voted for the first time when I was twenty-seven years old. I didn't want to participate in politics. I saw it

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as being corrupt. I grew up in the Chicago neighborhood where politicians just didn't respond. And so I -- I wanted to stay as far away from politics as I could and decided that the way to effect change would be to -- to become a community organizer, become an activist and -- and -- and run programs. But then I came to Springfield one day and I sat in the gallery and for the first time I realized how important this place is. And for the first time I really began to make a connection between public policy and the votes that every single one of us casts, and the role that we play in shaping that policy. And, so, once I made that connection and once I realized that, for years, I had been developing programs and responding to RFPs that were shaped by others, that were shaped by -- by bureaucrats, but with some parameters, many times established by the legislative process or the rulemaking process. When I saw all those connections, that's when I made the decision. I'm basically a public policy wonk. I love it. Some people have wondered whether I'll be able to do enough of it as a City Clerk. But, I think it was stated here very well. I -- I'm not going to sit down and deal with City stickers, all the time. I'm going to be doing a lot of -- a lot of special projects, a lot of creative things. But, I -- I have to tell you that it -- it's wonderful and I think Senator Petka said it when he looks at the building and he would pinch himself. We've all done that. We've all -- we've all, at times, stopped and for -- for a second thought about how lucky, how fortunate we are to be one of fifty-nine. How fortunate that there was enough people out there expressing confidence in us as individuals to give us their vote and to ask us to come down here and represent them. And here in this country, only in the United States, can a fellow with three hundred and fifty bucks - who -- who didn't want to participate at all in the process - practically, when you consider timeframes, overnight become a State Senator and be here for twenty years. We have a wonderful system. We have a wonderful system and it's the people that make that system. It's the people that make the system work or not work. And, I have so much respect for every one of you because one of the things I learned early on, I came in and I -- as an angry young man, Senator Sandoval, I did come as a -- I came as an angry young man wanting quick change, wanting -- wanting and getting frustrated

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and it was frustrating. It was, early on. But, I learned that every one of us is here to represent our folks back home in our districts. And, that if we're acting responsibly, we're going to vote our districts. But, if we're acting responsibly we're also going to look at the bigger picture and we're going to deal with issues. And I'm, Senator Meeks, glad to say that I felt real good this week when I went to a press conference and I stood in the back of the room. I didn't go to the front. I stood in the back of the room and listened to a group of Senators and Representatives, Republicans, Democrats talk about the need to take action on education funding reform. And I -- I felt, wow, what a way to leave. I'm not going to separate myself from that struggle. I'm going to work even harder, but what a way to leave. It reminded me that this place can -- can be the place for change, because that's what people expect and that's what they expect from us when they vote for us. What they're voting for is hope - hope for change. Every time they cast that ballot, it's hope for change. That's what our founding fathers wanted. That's the system that they established. A system that every few years gives the individual an opportunity to use that vote to express hope for change. And that's what this place is all about. And I have to say that it's been a tremendous privilege for me to have been part of this and I thank you. We got to get going. Gracias a todos. Thank you very much.

PRESIDING OFFICER: (SENATOR LINK)

Madam Secretary, Messages from the House.

SECRETARY HAWKER:

A Message from the House by Mr. Mahoney, 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 152.

(Secretary reads HJR No. 152)

Adopted by the House, November 30, 2006.

PRESIDING OFFICER: (SENATOR LINK)

Senator Viverito moves to suspend the rules for the purposes of immediate consideration and adoption of House Joint Resolution 152. Those in favor will say Aye. Those opposed, Nay. The Ayes

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have it. The rules are suspended. Senator Viverito moves the adoption of House Joint Resolution 152. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. We will now proceed to the Order of Resolutions Consent Calendar. With the leave of the Body, all resolutions read into -- today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolutions on the Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries. The resolutions are adopted. Pursuant to House -- Joint Resolution 152, the Senate stands adjourned until 3 p.m. on Sunday, January 7, 2007. The Senate stands adjourned.