

STATE OF ILLINOIS
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PRESIDENT JONES:

The regular Session of the 93rd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The -- the invocation today will be given by Reverend Brandon Boyd, Loami Christian Church in Loami, Illinois.

THE REVEREND BRANDON BOYD:

(Prayer by the Reverend Brandon Boyd)

PRESIDENT JONES:

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

SENATOR LINK:

(Pledge of Allegiance, led by Senator Link)

PRESIDENT JONES:

Madam Secretary, Reading and Approval of the Journal.

SECRETARY HAWKER:

Senate Journal of Tuesday, March 30, 2004.

PRESIDENT JONES:

Senator DeLeo.

SENATOR DeLEO:

Yes. Thank you, 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 DeLeo moves to -- to approve the Journal just read. There being no objection, so ordered. 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 concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bills 1645, together with House Amendment No. 1.

Passed the House, as amended, March 30, 2004.

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

Mr. President - I am directed to inform the Senate that the House of Representatives has passed -- bills of the

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following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 3893, 4283, 4361, 4450, 4790, 4870, 5011, 5016, 5070, 6640 {sic} (6648), 6683, 6691, 6874.

All passed the House, March 30.

I have a like Message with respect to House Bills 3985, 4057, 4092, 4167, 4424, 4457, 4475, 4782, 4825, 5197, 5899, 5925, 6616 and 6633.

Passed the House, March 30th, 2004.

I have a like Message with respect to House Bills 3869, 4012, 4086, 4154, 4241, 4402, 5075, 5175, 5180, 5613, 6747, 6989 and 7038.

Passed the House, March 30th, 2004.

PRESIDENT JONES:

Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Shadid, Chairperson of the Committee on Transportation, reports Senate Joint Resolution 59 Be Adopted; Senate Resolutions 102, 168 and 428 Be Adopted; Senate Resolution 441 Be Adopted, as amended; and House Joint Resolution 9 Be Adopted.

Senator Haine, Chairperson of the Committee on Local Government, reports House Bill 4469 Do Pass.

Senator Walsh, Chairperson of the Committee on Agriculture and Conservation, reports House Bill 4769 Do Pass.

Senators Cullerton and Dillard, Co-Chairpersons of the Committee on Judiciary, reports House Bills 2582, 3882, 4032, 4063, 4275, 4583 {sic} (4538) -- pardon me, 4751, 4771, 6786 and 6811 Do Pass; House Bill 7057 Do Pass, as Amended; Senate Joint Resolution 53 Be Amended {sic}; Senate Amendment No. 2 to Senate Bill 948, Senate Amendment No. 2 to Senate Bill 2287, Senate Amendment No. 3 to Senate Bill 2791 and Senate Amendment 1 to Senate Bill 2907, all Be Adopted.

PRESIDENT JONES:

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

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SENATOR ALTHOFF:

Thank you. Mr. President, Members of the Senate, I have with me today a Page, Lauren Arnold, from Adlai Stevenson High School in Buffalo Grove. Her father is also in the audience up in the gallery, and he is the Executive Director of the Harvest Christian School, and he's also President of the Illinois Coalition of Nonpublic Schools. May we give her a nice, warm welcome?

PRESIDENT JONES:

Will our guests please rise and be welcomed by the Senate? Senator Lauzen, what purpose do you rise?

SENATOR LAUZEN:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR LAUZEN:

I'd like to introduce to the Senate two Pages today, Maria -- Mariah Smith from Aurora, Illinois, and Hannah Wilazewski from Oswego. And Hannah is joined by her dad, John, and sister, Leah, from Oswego, who are sitting behind us in the gallery on the Republican side. So if we could welcome them to Springfield.

PRESIDENT JONES:

Will our guests please rise and be welcomed by the Senate? Will the Members of the Rules Committee please come together in the Antechamber? There will be a meeting immediately. The Rules Committee Members. Will the Members in their offices please come to the Senate Floor? Madam Secretary, Messages.

SECRETARY HAWKER:

A Message from the Secretary of State.

Honorable Members, Illinois State Senate, 93rd General Assembly. Dear Members - I am nominating Maria Kuzas for appointment to the Executive Ethics Commission for the Secretary of State. I respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

Sincerely, Jesse White, Secretary of State.

PRESIDENT JONES:

Madam Secretary, Resolutions.

SECRETARY HAWKER:

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Senate Resolution 480, offered by President Jones and all Members.

And Senate Resolution 481, offered by Senator Halvorson and all Members.

They're both death resolutions.

PRESIDENT JONES:

Resolution Consent Calendar. Senator Roskam, what purpose you rise?

SENATOR ROSKAM:

Thank you, Madam -- Mr. President. A point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR ROSKAM:

Mr. President, I'm joined today by three special Pages, Joey and Lisa Martinez and Katie McElheney, and their mom and dads, Joe and Debbie Martinez and Jeff and Diane McElheney. The women who I'm pointing out in the gallery above the President tonight are affectionately known in the western suburbs as "The Gourmet Sisters" 'cause they're such fabulous cooks. Would you please welcome them to Springfield?

PRESIDENT JONES:

Will our guests please rise and be welcomed by the Senate? Senator Crotty, what purpose do you rise? Could we tone it down a little bit, Members, so we can hear our Members speak? Senator Crotty.

SENATOR CROTTY:

Thank you, Mr. President. I just wanted to remind the committee members of the Licensed Activities that we will be meeting at 3:30 at A-1 in the Stratton Building. Thank you.

PRESIDENT JONES:

Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

On a point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR DEMUZIO:

Well, Mr. President, it seems like -- must be Jacksonville Day, I guess, here in the Capitol. I -- everywhere I go I see

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Jacksonville people and Jacksonville students. Today with us in the gallery is the third grade class of Our Savior's in Jacksonville. They are accompanied by their teachers, Rita Carney and Karen Wieneke. And I would like to have the Senate recognize them and ask the children if they would please stand up and be recognized by the Senate.

PRESIDENT JONES:

Will our guests please rise and be recognized by the Senate? Senator Maloney, what purpose you rise?

SENATOR MALONEY:

For purpose of an announcement, Mr. President.

PRESIDENT JONES:

State your announcement.

SENATOR MALONEY:

The Labor and Commerce Committee will meet today, 3:30 p.m. in Room 400. Thank you.

PRESIDENT JONES:

Senator Schoenberg, what purpose you rise?

SENATOR SCHOENBERG:

Thank you, Mr. President. I rise for purposes of an announcement.

PRESIDENT JONES:

Proceed.

SENATOR SCHOENBERG:

The State Government Committee will meet today at 1 p.m. in Room A-1 of the Stratton Building. State Government, 1 p.m., A-1 Stratton.

PRESIDENT JONES:

Senator Sullivan, John Sullivan, what purpose do you rise?

SENATOR J. SULLIVAN:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR J. SULLIVAN:

I'd like the Senate to welcome a constituent of mine, the - also the local manager of Schuyler County Farm Bureau, Jean Barron. She's going to be spending some time with us this afternoon. And also I'd like to welcome to the -- up in the gallery is Warren County Farm Bureau Young Farmers and FFA

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members up in the gallery, up here on our side. And Carol Gibb is the Director there. I'd like all of these individuals to be welcomed here to Springfield.

PRESIDENT JONES:

Will our guests in the gallery please rise and be welcomed to the Senate? Senator Welch, what purpose you rise?

SENATOR WELCH:

Two things, Mr. President. Point of information: The Appropriations II Committee will meet at 1:30 in Room 212. And if I could have a little quiet, I'd like to say something else.

PRESIDENT JONES:

Members, please tone it down. It's very difficult to hear.

SENATOR WELCH:

Ladies and Gentlemen, I just want to say welcome back to Senator Vince Demuzio.

PRESIDENT JONES:

Senator Cronin, what purpose you rise?

SENATOR CRONIN:

A point of personal privilege, Mr. President.

PRESIDENT JONES:

State your point.

SENATOR CRONIN:

May I please just introduce two fine young Americans, Graham Dimmick from Downers Grove, and Katie Row, from Elmhurst, the mighty 21st Legislative District. If the Senate would please give 'em a warm welcome.

PRESIDENT JONES:

Will our guests rise and be welcomed by the Senate? Senator Radogno, what purpose you rise?

SENATOR RADOGNO:

Point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR RADOGNO:

Mr. President, I'd like to introduce to the Body two Pages I have today, Marissa Dahl and -- Talia Avei. They both have parents who are members of the local school board. And Mrs. Dahl is here today with them. I'd like to have them be welcomed.

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PRESIDENT JONES:

Will our guests please rise and be welcomed by the Senate?
Senator Silverstein, what purpose you rise?

SENATOR SILVERSTEIN:

For purpose of announcement, Mr. President.

PRESIDENT JONES:

Proceed.

SENATOR SILVERSTEIN:

Just remind the members of the Executive Committee the
Executive Committee will meet at 1 o'clock in Room 212.

PRESIDENT JONES:

Senator Martinez, what purpose you rise?

SENATOR MARTINEZ:

Thank you, Mr. President. I would like the Senate to
welcome a wonderful constituent of mine. She's the daughter of
Gene' Moreno, who happens to work for the Chicago Rehab Network.
This is Daena Wallace, and I want everyone to welcome her.

PRESIDENT JONES:

Let's give a warm welcome to our guest and our Page. Thank
you. Senator, you ready for the other announcement?

SENATOR MARTINEZ:

Not at this time, Mr. President.

PRESIDENT JONES:

Senator John Jones, what purpose you rise, sir?

SENATOR J. JONES:

Thank you, Mr. President. A point of personal privilege.

PRESIDENT JONES:

State your point.

SENATOR J. JONES:

Up in the gallery up here to my left I have some -- some
gentlemen from Clinton County: the State's Attorney, County
Board Chairman, a member of the County Board and the Mayor of
Aviston. So if they would please rise.

PRESIDENT JONES:

Will our guests in the gallery please rise and be welcomed
by the Senate? Illinois -- Illinois Information Services seek
leave to photograph or videotape the proceedings. Is there any
objection? None heard. So ordered. Madam Secretary, Committee
Reports.

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SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Committee Amendment No. 1 to House Bill 4005, Floor Amendment 1 to House Bill 742; refer to Labor and Commerce Committee - Motion to Concur with House Amendment 1 to Senate Bill 1645; and Be Approved for Consideration - House Bill 850.

PRESIDENT JONES:

Senator Watson, could you identify that silver-haired fellow standing next to you?

SENATOR WATSON:

Yes. Thank you, Mr. President. We've got several guests on the Floor. But, in particular, we have our former President of the Senate, Pate Philip, with us here today. And obviously we welcome him and -- and all the former Members. And we've decided that we want to -- we want to re-caucus. We want to caucus again. We've got about thirty-seven of us over here right now. And we'd like to take back control, Mr. President, if you...

PRESIDENT JONES:

Well, I don't think we've passed a rule where they'll have voting privilege, but they always are welcome.

SENATOR WATSON:

Well, we -- we do welcome 'em, and it's great to have 'em back. It's -- it's too bad of the occasion by which they're here, but we're glad they're all with us, and we'll introduce the rest of them later. But, Senator Philip, our former President, we obviously welcome you and glad to have you back, Pate.

PRESIDENT JONES:

Following the adoption of two resolutions regarding Senator Stan Weaver, the Senate will stand in recess to the call of the Chair. We anticipate we will reconvene at approximately 4 p.m. today for Floor action. So we won't have to look for everyone, I encourage you to be here at 4 p.m. this afternoon following recess. On Supplemental Calendar No. 1 on the Order of -- on the Secretary's Desk is Senate Resolution -- Joint Resolution No. 59. Madam Secretary.

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SECRETARY HAWKER:

Senate Joint Resolution 59, offered by Senator Wendell Jones.

There are no committee or Floor amendments reported.

PRESIDENT JONES:

Senator Wendell Jones, on Senate Joint Resolution 59. Senator Jones.

SENATOR W. JONES:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 59 seeks to permanently commemorate Stan Weaver's lasting role in the General Assembly and his abiding impact on the lives of the people of Illinois by designating that portion of US 45, which goes through the cities of Champaign and Urbana, as the Stanley B. Weaver Memorial Highway. Appropriate plaques and signs giving notice of designation will be erected at suitable locations. A copy of the resolution will be presented to the Secretary of the Illinois Department of Transportation and the family of Senator Weaver. I would ask for a unanimous roll call.

PRESIDENT JONES:

Is there any discussion? Is there any discussion? Seeing none, Senator Wendell Jones moves for the adoption of Senate Joint -- Resolution 59. This resolution requires a roll call vote. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Yeas, no one voted Nay, none Present. This resolution, having received the constitutionally required majority, is adopted. Will all the Members please be at their desks? Will the staff please retire to the gallery? Would the doormen please secure all doors? Madam Secretary -- Mr. Secretary, Resolutions.

ACTING SECRETARY HARRY:

Senate Resolution 482, offered by Senators Watson, Emil Jones, Winkel and all Members of the Senate.

(Secretary reads SR No. 482)

PRESIDENT JONES:

Senator Winkel.

SENATOR WINKEL:

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Thank you, Mr. President. Before I speak to the resolution, I'd like to make a couple quick introductions. Members of Stan Weaver's family are here today. Stan's son, Blake Weaver, is with us behind Senator Watson's desk here, together with Blake's daughter, Stan's granddaughter, Lindsay. Lindsay Kearns. And Stan's longtime secretary from the Urbana District Office, Beverly Harney is also with us today. Beverly is behind, as well. And Stan's very good friend and business partner over the many, many years, very close friend, Tom Henderson is also here. Welcome all. Ladies and Gentlemen of the Senate, there will never be another Stan Weaver. He was never one to seek credit for his many accomplishments. Rather, he was a kind and quiet man whose steady leadership style got considerable results for the people he represented. Stan Weaver had three very distinctive qualities that I believe set him apart from the ordinary man and made Stan Weaver a legend in our community as both Mayor and Senator. First, Stan was a very kindhearted man. He genuinely understood the needs and appreciated the value of his friends and neighbors. The people he served felt this quality in Stan. And because of this, Stan won the hearts and minds of his neighbors in our community. It is no wonder then, as Phil Bloomer in the News Gazette, our local newspaper, reported, both in his elections and in the Senate, Stan Weaver prevailed without costly campaigns and grand speeches, but with quiet authority and an intimate knowledge of the players and procedure. It is this quality, his kindheartedness, that enabled Stan to develop a deep appreciation and understanding of how others felt and why they acted in the way they did, and how to solve problems as they came up. The second quality of Stan's was a sense of the big picture. Stan always had the -- uncanny ability to distinctively -- instinctively know the difference between what was really important from something that was not worth the sacrifice and fight. Stan always knew how to choose his battles wisely. The third quality was Stan Weaver's dedication to serving others. Stan Weaver never took himself seriously, but he certainly took his job of public service seriously. He was a man who let his actions speak for themselves. He was never a flamboyant man given to thunderous speeches, but he got so much

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done for us and for our community. Stan taught me that it is not all about us as public officials. Rather, it is about our community and the people we serve. We are really going to miss his wisdom. And while there may never be another Stan Weaver, and we will miss him greatly, we must always remember the lessons he taught us by his example on how to lead, govern and serve with dignity and honor and remember that his wonderful legacy of achievement for the people he represented will always live on. Thank you.

PRESIDENT JONES:

Senator Philip.

FORMER SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This certainly brings old, old and great memories back. To say the least, Stan and I have gone back quite a few years. You know, he was born May 23rd, 1925. I was born May 26th, 1930. So if you'll remember, we used to celebrate our birthdays together. We were both Geminis. So, of course, we had that in common. You know, he was a devoted father, devoted husband, got two great grandchildren. He's one of these guys that has left a mark on us that we will never, never, never forget. He was a true Illinoisan. Born in Harrisburg. Lived in Pittsfield. Was the Mayor of Urbana. Served in the House one term. Served in the Senate over here for I think twenty-two years, twenty-three years. Something like that. Ended up being the Dean of the Senate. He was the Majority Leader and he was the Chairman of Rules Committee, which, quite frankly, is one of the most important committees here. And did it with dignity. Stanley Weaver could say no to people and get away with it. It's -- was his attitude. It was his perception. He was one of the easiest guys that you ever want to get along with. You know, he was a mortician by trade. I remember how he used to kid me. If I would drive down from DuPage County and die in his funeral home, he'd give me fifteen dollars off. And I said, "Stanley, it cost me fifteen dollars to drive down there." But -- and I'll tell you, he loved to play poker, he loved to play gin, and I'll tell you one thing, there wasn't anybody any better at either of those. I remember one time -- and he liked to beat me more than anybody. If he could beat me tonight, that would make his whole

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evening. One time we were playing. We were playing seven-card stud, and he had two queens showing. I had two nines showing. He didn't know that I had two nines in the hole. He ended up with a full House. I end up with four nines. Of course, I won and he bumped the pot, bumped the pop, got mad at me, through the deck of cards at me and we went up and had dinner and... But that's the kind of guy he was. He just -- he was just, just great. And as you know, he was a 33rd Degree Mason. That's the highest you can be. That happened out in Philadelphia. My wife and I went out for the three-day program. We went out there and spent the three days out there. And we -- of course, we had breakfast, lunch and dinner together. We had a great time and it was -- made him very proud and I was very proud. I'm a 33rd also, so -- and I think we're the only 33rds that we've had in the Senate here for a long, long time. If anybody else is, I don't know it. But it's a real honor, and -- and we will really, really for -- for -- we really will -- we'll feel bad about this guy. He was great guy. Let me -- let me say some of the things that -- that I -- I can remember. Personal things. He had a district office. He had one telephone line. No computer, no fax machine and no copying machine. I know he's the only guy in the world, I try to call him? Forget it. His line was always busy. And he was back in the Stone Ages, but that's the way he -- he kind of operated. You know, he always had a dog. Every time I was at his House, and you know -- and he would go down to the local pound and pick up one of these stray dogs. And I'll tell you, they always had -- for some reason, he had the kindest, the nicest dogs that I've ever seen. But he always had to have a dog. And -- which I think is great. And, you know, he played golf every -- every Saturday. Now, in his old age, he hit 'em right down the middle of the fairway. Not very far, but when he got on that green with that putter of his, he was -- he was very accurate with that -- with that putter. And I'll tell you, University of Illinois. I mean, there was never a better supporter of the University of Illinois than Stanley Weaver, let me tell you that. He almost went to every football game. He went to a lot of the basketball games. In my opinion, we ought to be naming the stadium after him and not the highway, or both as far as I'm concerned. But it will

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be -- nobody will ever do as much for the University of Illinois. As you know, they named four scholarships after him with a nice ceremony in the President's house here about two or three months ago. Let me see. I feel very lucky that I have known him for thirty-eight years. We played -- we played golf together. We hunted together. We fished together. We played cards together. And he has taken more money from me than anybody that I can remember. And, you know, you certainly were right when you said he's kind. He was kind until he started playing cards. And his attitude kind of changed. But I'll tell you, he -- he was the best gin player that I've ever played with and as good a poker player as I've ever played with. And we did that every night for ten years. Every night we were in Session, we would go to his apartment and we would play gin rummy or -- and/or poker. So that was a lot of card playing, believe me. But we certainly are going to miss him. I know he's up there looking down on us with a big smile on his face. Probably got a poker game going or a gin game going up there. I would feel sorry for those other people up there, because he's going to win. But I'm proud to say he's been my friend. Proud to say that I've known him. And he was a great American, great Illinoisan and a great Senator.

PRESIDENT JONES:

Senator Jacobs.

SENATOR JACOBS:

Thank you. It's always a tough act to -- to follow our former President, Pate Philip, you know, but when I come here eighteen years ago, I looked at Stan and I thought two things. Number one, I thought, God, he looks like a funeral director. And number two, I thought he was old then. And -- but I've learned over the period of time he was not near as old as what he looked. Senator Weaver was a good man. He was a fair man. He was "Mr. University of Illinois." And if you didn't believe that, just get in his way for a program he had for the University of Illinois. Pate, he was your right man -- right-hand man. And without that, I don't think you would have ever been the man that you became in this Body, but Stan was very much a part of that. He was a friend. He was a confidant and a mentor to both sides of the aisle here. I know he was to me.

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Also, he was a mentor to both sides of the Rotunda. As has -- already indicated, he was probably one of the better poker players in this Body and probably one of the better ones, as -- as Senator Philip indicated, that was in the State of Illinois, and he left a lot of us a little bit lighter in the pocketbook. But he will be remembered most, in my estimation, for his wisdom, his acceptance and his love of his fellow man. You know, if you look around here, Stan, you see a lot of your old cronies here you used to take some money from. So if you're in need of a little pocket change up there, you might want to get ahold of 'em and get a card game going. But the main thing is, is I just want to say that Stan Weaver was my friend and, Stan, we dearly miss you.

PRESIDENT JONES:

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. And as I mentioned earlier when we introduced our former President, Pate Philip, I wanted to take the opportunity to introduce the other former Members that we have here with us today. And of course, we've heard from Pate and we welcomed him earlier, but we can't say enough about how good -- glad we are to see you, Pate. He's actually lost twenty-five pounds, he said. So, retirement's doing him some good. Doc Davidson is here. Doc. Walter Dudycz. Representing Peter Fitzgerald is Michelle Wood. Carl Hawkinson. Doris Karpel. Bob Madigan. Bill Mahar. John Maitland. Always good to see John again. Duane Noland. Bud Stone. And Tom Walsh. And I want to thank you, Mr. President, for giving us the opportunity to honor this man today. You know, these are not -- I'm not very good at these things. I'm not at all. I'm a very emotional kind of guy and when somebody like Stan Weaver -- he was like, almost -- I mean, I felt like a brother, I guess would be a -- politically correct thing to say. Like a brother, but more like a father, if I really had to say it, is the way it is. But he really -- that's the way he was to me. And I -- and I just have a great deal of regard to him. So I thank you for -- Mr. President, for giving us this opportunity to honor one of our former Members. Wendell Jones, I have to say, with -- US Highway 45. Those of you that have been around here awhile

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remember this story. Stan Weaver got stopped for speeding coming over here, I think, on the Interstate. And -- and they gave him a ticket. Now, can you imagine -- well, I guess. They really wrote a ticket and gave him a ticket. So Stan gets over here -- Stan gets over here and what does he do? He picks up the State Police's budget. Do you remember that, Pate? And that budget was held and held and held. I mean, it was -- they paid dearly for that, but he sent a strong message. He sent a strong message. That's the way Stan was. He -- very quiet strength about him. And -- but that -- that's -- that's one thing that I'll always remember. And things that I -- just comments that Stan would make. You know, "Keep your powder dry." Probably more familiar to people on this side of the aisle than maybe -- "Move the previous question." He was our guy. "It's the sociability." That's when we were paying him constantly at the card table. "It's -- it's not about winning or losing, Frank, it's about the sociability." And he -- and I -- as you know, everyone who knows me, this is a comment he always used to tell me. "Don't get excited. It's early in the Session." But those are -- obviously, Pate -- and I think Denny said it well. I -- you know, we're only as good as the people we have around us. It doesn't matter what we do. The people around us give us an -- lot of opportunity to succeed. And I'll have to say that Stan Weaver was an excellent Majority Leader, and your right arm throughout all the years that you served as our Leader. And we sensed that in that caucus. As I mentioned, a very quiet strength it was -- and when -- you're right, when he got up to talk, people listened. And the -- the ability he had to get things done without waving the flag and -- and pounding the chest is -- is something that I think we ought to all emulate. He really -- and he was very successful. And -- and maybe that's the kind of style that -- that -- that gives you that kind of success. But he -- he really did -- did work well with you and it -- it's great that you have that kind of friendship. You know, we can all go through life and never have that kind of ability to connect with people. But, obviously, Pate, you and Stan did. The University of Illinois, as you mentioned, ought to -- a lot has been done in the name of Stan Weaver and -- and a lot more could be done. And as a Purdue

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graduate and -- and one who -- he always invited me up to the Purdue game, either -- whether it was basketball or football, and we always enjoyed that rivalry and -- and even though I'm obviously an Illinois fan now. But we -- that -- that was part of our relationship that I had with him. And -- and, Blake, you and your sister and -- and Lindsay, I -- I wish you well. You -- you can't know how much meaning that your grandfather and your father had to this caucus and this -- this -- this Body, and the respect that he brought to this Body as a Senate, the respect that people had for this Body because of your father and your grandfather. That's -- that's the kind of legacy we all want to leave. So, with that, I thank you again, Mr. President, and look forward to a motion.

PRESIDENT JONES:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, former colleagues, colleagues, friends, family of Stanley Weaver, I was the -- the talkative one and when I get excited and I'd complain about something he'd say to me, "Keep your powder dry." I said, "But I haven't got any powder on." So he didn't know what to say then. And I indulged in one or two games of poker. And I want you to know I learned from Stan the Man. He was successful, even with Pate Philip, many a time. And once I won a pot and he was shocked and so was I. But -- but for the grace of God I learned not to play too often. But I will tell you this, he was one of the most well-respected and -- well-liked individuals in this Senate -- in the history this Senate. And he was very tolerant. And he had an excellent war record with five battle stars. Being a veteran myself, I can well appreciate him, what we went through in the South Pacific. And he was a -- a very caring guy, but didn't say much. He probably had more impact on us than he realized, because we all loved him and we all respected him. And I can honestly tell you that he made a difference in our lives and it was a good difference. And I know, Stan, wherever you're at, you're saying, "Well, you've calmed down, Geo, quite a bit." Which I have. Comes with age. And Senator Demuzio is the Dean of the Senate in seniority, but as far as the Republicans go, now I am the Dean

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of the Senate for the Republicans. So I know what it means, and I'm trying to behave myself, Stan, so they -- they won't find me too obnoxious. But I want to tell you, Stan, you're really Stan the Man, who stood up for what he believed and got what he wanted from us, because he knew how to do it. God rest your soul and thank you for watching us, and thank you, family of Stan. You can be very proud of Stan the Man. Senator Stanley Weaver, Majority Leader of the Illinois Senate.

PRESIDENT JONES:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, family and friends of Stan Weaver. Let me begin by saying that this tie I have is a University of Illinois tie that was given to me by Stanley Weaver. I don't know where he got it. I don't know if he paid for it, but I -- I've had it all along. I told him, I said, "Better you give me one than me pay for it, 'cause I don't think I would be buying it." But he did. Denny, Pate, I agree with you. I've -- I've got a hunch that Stan's looking down on all of us today and he's a little embarrassed by all of this attention, because Stanley didn't care to be the focus of worry and concern or praise or admiration. So if I'm guessing that Stan's probably watching all of this today. He's growing more impatient by the minute. And I can hear him saying, "Vince, make this quick. You guys got a Session to complete and an election coming up." Well, we're going to say a few things about you today, Stanley. And so like many of us in this -- distinguished Body, I was sad to hear the passing -- hear of the passing of the Senate Majority Leader. Former President Pate Philip called me a number of times at my home inquiring about my illness, and during one of those phone messages, indicated to me that Stanley Weaver had an illness, and therefore I wasn't surprised to learn of his passing. And upon his passing, I called Senator Winkel and asked him on the day of the funeral to inform the family that because of my health, that was the reason for my absence. And I can remember that I was at his wife Mary's wake when she passed away. And I indicated to Senator Winkel that Stanley Weaver will always be in my prayers, and I thank you, Senator Winkel, for

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doing that for me. Anyway possible, I would have been there, much like today. But Senator Weaver was a good friend. He wasn't loud or showy. He devoted his life to his constituents. He understood people. He listened to their concerns. And that's what made him the thirty-year Member plus of the Illinois General Assembly. And for those of us that knew him, that quality really came through. He was a man of great integrity, and no one can doubt that. When he gave his word, he stuck to it. He was very forceful and powerful in his ability to help his constituents. He was known widely for his ability to get things done, as was indicated earlier. Whether it was getting a highway rerouted or restructuring a State Police budget. Whether it was getting a highway -- rerouted or another building of his beloved University of Illinois, or passing legislation that no one could do it like the Senate Republican Majority Leader. And finally, it is undeniable that he was a great authoritative {sic} advocate for the University of Illinois. The premier university in our State university system would not be the crown jewel today if it were not for Stanley Weaver. If you served with him, you know he was one of a kind. And if you did not have the privilege of knowing him, you missed out. I'm sure now -- by now that his angels in heaven are getting an earful about the University of Illinois and keeping the Chief as the mascot. Boy, those must have been some real discussions since he's been up there. And I should also warn the angels that Stan requires enough space to continue another one of his hobbies. I refer to it as card reading -- for a lot of people. And I'm sure we all know what the card reading is all about. You've heard that term a number of times today. And I also would warn the angels that if there's any extra money around, be careful, because he'll grab it up and give it to the University of Illinois as fast as he can. Early in our political careers in the 1970s, Stan and I served on the Senate Banking Committee. I was the Chair and Stanley was the Vice-Chair. We had -- we served with such Members like Berning, Ozinga, Carroll, Chew, and I'll bet you there's only a handful of us in here that can remember who those people were, or even know their name. That was back in the seventies. We never had a partisan roll call on any bill. We had no pre-meetings. We had no discussions. We

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seemed to always be in concert with the issues that were before us. I would look at Stan and Stan would look at me, and if Stan -- Stan indicated -- moved his head upward, it was okay. If he moved his head downward, it wasn't okay. And that's how it was in those days. And for most of the Senate career of Senator Weaver, he was the ranking Republican on the Senate Rules Committee and he was the gatekeeper of what got voted on and what didn't. Politicians from both side of the aisle, lobbyists of every stripe and friendly newspaper reporters knew -- knew their way to his office. Most of my time was serving on the Senate Rules with Stan and all this time when he was in the Majority he would always -- we would always talk ahead of time. Sometimes direct, but when discussion was over, it was never personal. And Stan never dwelled on his own problems. He was too committed to caring about others and their problems. Stanley does leave behind a remarkable legislative legacy, too numerous to mention here, and some of those accomplishments have already been indicated. But, truly, Stan's life was a historic and the history books will look back on his long and remarkable career and conclude that he was one in a million. I remember one time when Stan and I and Governor Edgar were sitting at the Illinois Bowl game down in Florida. I was sitting in the second row and they were sitting in the first row, Stanley and -- and the Governor, Governor Edgar. And Stan and his wife, Mary, ordered beers. The attendant came and asked to pass the beers down -- down the aisle. I was sitting behind them with a camera and I asked them all to turn around and took a picture. Well, at that stage of the game, Edgar was handing the plastic container of beer to Stan. And Brenda had a beer that she was getting ready to give to the Governor to give to Mary. Stan got quite a kick out of that, I could -- I could tell you. It was really a -- a funny exercise. But when I think of -- of Stan I'm reminded of my favorite poet, Yeats. Think where ones glory begins and ends, and say that my glory is that I have such friends. This was Stanley Weaver. Friends and family were the most important. And today, my friend, as you sit at the right hand of our Creator, and in the company of your beloved wife, Mary, all the angels can sing of the accomplishments of Stanley Weaver. And those of us who work in this magnificent Chamber of

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the Illinois Senate, a Senate that he loved, I am sure that one of the toughest decisions that he had to make was to retire. We say farewell to you, our beloved Senate colleague. We will always remember you. We will always miss you. We will always love you.

PRESIDENT JONES:

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I would move for the suspension of Senate rules for the immediate consideration of Senate Resolution 482.

PRESIDENT JONES:

Senator Watson move for suspension of Senate rules for the immediate consideration and adoption of Senate Resolution 482. All those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Watson.

SENATOR WATSON:

I just move for the adoption.

PRESIDENT JONES:

Senator Watson moves for the adoption of Senate Resolution 482. All those in favor, please rise. The Senate will stand in recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DeLEO)

Senate will come to order, the hour of 4:30 having arrived. We ask all Members within the sound of my voice, please return to the Senate Floor. We're going to start some substance. 3rd Readings. So I'd ask all Members, please come to the Senate Floor. Madam Secretary, Resolutions, please.

SECRETARY HAWKER:

Senate Resolution 483, offered by Senator Haine and all Members.

Senate Resolution 484 and 485, also by Senator Haine and all Members.

Senate Resolution 486, offered by Senator Haine and all Members.

They're all death resolutions.

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PRESIDING OFFICER: (SENATOR DeLEO)

Resolutions Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 487, offered by Senator Martinez.
It is substantive.

PRESIDING OFFICER: (SENATOR DeLEO)

Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Schoenberg, Chairperson of the Committee on State Government, reports House Bills 3877 and 4947 Do Pass; and Senate Resolutions 171, 437 and 474 Be Adopted.

Senator Silverstein, Chairperson of the Committee on Executive, reports House Bills 4031 and 4371 Do Pass; and House Bill 4005 Do Pass, as Amended; and Senate Amendment No. 2 to Senate Bill 2147, Senate Amendment No. 2 to Senate Bill 2349, and Senate Amendment No. 3 to Senate Bill 2409, all Be Adopted.

Senator Ronen, Chairperson of the Committee on Labor and Commerce, reports House Joint Resolution 15 Do Pass {sic} (Be Adopted); and a Motion to Concur with House Amendment 1 to Senate Bill 1645 Be Adopted.

Senator Munoz, Chairperson of the Committee on Licensed Activities, reports House Bills 3865 and 4157 Do Pass.

PRESIDING OFFICER: (SENATOR DeLEO)

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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 3981, 4019, 4179, 4234, 4372, 4558, 4612, 4618 {sic} (4718), 4959, 5058, 6679, 6920, 4116, 4227, 4229, 4287, 4522, 4566, 4990, 5025, 5157, 6202 {sic} (6902) and 6954.

All passed the House, March 31, 2004.

PRESIDING OFFICER: (SENATOR DeLEO)

Supplemental Calendar No. 2 has been distributed to all Members. Madam Secretary, is that correct? Supplemental Calendar No. 2.

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SECRETARY HAWKER:

That is correct. It has been distributed.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Madam Secretary, House Bills 1st Reading.

SECRETARY HAWKER:

House Bill 6648, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 3963, offered by Senator Collins.

(Secretary reads title of bill)

House Bill 3985, offered by Senator Link.

(Secretary reads title of bill)

House Bill 4154, offered by Senator Haine.

(Secretary reads title of bill)

House Bill 4232, offered by Senator Maloney.

(Secretary reads title of bill)

House Bill 4241, offered by Senator DeLeo.

(Secretary reads title of bill)

House Bill 4247, offered by Senator Halvorson.

(Secretary reads title of bill)

House Bill 4269, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 4283, offered by Senator Shadid.

(Secretary reads title of bill)

House Bill 4288, offered by Senator Collins.

(Secretary reads title of bill)

House Bill 4361, offered by Senator Walsh.

(Secretary reads title of bill)

House Bill 4457, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 4790, offered by Senator Dillard.

(Secretary reads title of bill)

House Bill 4825, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 4870, offered by Senator Link.

(Secretary reads title of bill)

House Bill 4894, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 5011, offered by Senator Munoz.

(Secretary reads title of bill)

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House Bill 5016, offered by Senator DeLeo.
(Secretary reads title of bill)

House Bill 5165, offered by Senator Schoenberg.
(Secretary reads title of bill)

House Bill 5215, offered by Senator Radogno.
(Secretary reads title of bill)

House Bill 5889, offered by Senator DeLeo.
(Secretary reads title of bill)

House Bill -- pardon me, 5925, offered by Senator Jacobs.
(Secretary reads title of bill)

House Bill 6567, offered by Senator Cullerton.
(Secretary reads title of bill)

House Bill 6691, offered by Senator Cronin.
(Secretary reads title of bill)

House Bill 6906, offered by Senator Schoenberg.
(Secretary reads title of bill)

House Bill 4280, offered by Senator Hunter.
(Secretary reads title of bill)

House Bill 4476, offered by Senator Hunter.
(Secretary reads title of bill)

House Bill 3989, offered by Senator Petka.
(Secretary reads title of bill)

House Bill 4075, offered by Senator Petka.
(Secretary reads title of bill)

House Bill 4116, offered by Senator Jacobs.
(Secretary reads title of bill)

House Bill 4234, offered by Senator Ronen.
(Secretary reads title of bill)

House Bill 4372, offered by Senator Walsh.
(Secretary reads title of bill)

House Bill 4402, offered by Senator Rutherford.
(Secretary reads title of bill)

House Bill 4424, offered by Senator Collins.
(Secretary reads title of bill)

House Bill 4475, offered by Senators Walsh and Hunter.
(Secretary reads title of bill)

House Bill 4505, offered by Senator Collins.
(Secretary reads title of bill)

House Bill 4522, offered by Senator del Valle.

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(Secretary reads title of bill)

House Bill 4566, offered by Senator Collins.

(Secretary reads title of bill)

House Bill 4612, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 4735, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House Bill 4862, offered by Senator DeLeo.

(Secretary reads title of bill)

House Bill 4887, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 5058, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 5070, offered by Senator Munoz.

(Secretary reads title of bill)

And House Bill 5075, offered by Senator Jacobs.

(Secretary reads title of bill)

House Bill 5180, offered by Senator Hendon.

(Secretary reads title of bill)

House Bill 6633, offered by Senator Walsh.

(Secretary reads title of bill)

House Bill 6679, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 7263, offered by Senator Burzynski.

(Secretary reads title of bill)

And House Bill 5891, offered by Senator DeLeo.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR DeLEO)

Once again, to the Membership within the sound of my voice, please come to the Senate Floor. We're about to start 3rd Readings, final passage. 3rd Readings. Final passage. And Rules -- Rules will meet immediately. The Rules Committee will meet immediately in the President's Anteroom. Rules Committee will meet immediately in the Anteroom. Once again, Rules Committee will be meeting immediately in the President's Anteroom. All Members of the Rules Committee please report to the Anteroom immediately. Thank you. Okay. Ladies and Gentlemen, we've mentioned that Supplemental Calendar No. 2 has

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been distributed. So on that Supplemental Calendar No. 2 -- excuse me. Excuse me. Let's hold on. Madam Secretary, Committee Reports, please.

SECRETARY HAWKER:

Senator Viverito, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Revenue Committee - Floor Amendment No. 1 to House Bill 850.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Madam Secretary. Okay. On Supplemental Calendar No. 2 is the -- Order of Concurrence. We have Senate Bill 1645. Madam Secretary, please read the bill.

SECRETARY HAWKER:

I move to concur with the House in their adoption of Amendment No. 1 to Senate Bill 1645.
Motion filed by Senator Obama.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Wojcik, for what purpose do you rise, ma'am?
Senator Wojcik.

SENATOR WOJCIK:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point.

SENATOR WOJCIK:

I have the honor today of having two guests sitting beside me who are from Bloomingdale Township in DuPage County. And the young lady is Mrs. Franz Scalafini. She's a trustee with Bloomingdale Township. And that's her husband, Sam. So I'd like us all to welcome them here to Springfield.

PRESIDING OFFICER: (SENATOR DeLEO)

Welcome to the Illinois Senate. Welcome to Springfield. Thank you very much for being here today. Okay. Back on Supplemental Calendar No. 2 is Senate Bill 1645. Senator Obama.

SENATOR OBAMA:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. This bill relates to overtime regulations and what we need to do here in Illinois to ensure that workers who are currently receiving overtime continue to receive overtime. The

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legislation provides that executive, administrative or professional employees are exempted from the time and a half overtime rate as defined by the federal Fair Labor Standards Act and by federal rules under that Act as they exist on March 30th, 2003. The basic intent of this bill is to maintain the status quo with respect to who qualifies for time and a half overtime pay and who does not. As some of you are aware, the Bush administration and Elaine Chao, the Secretary of Labor, without negotiations with labor, initiated this change. It stands to eliminate overtime for eight million workers across the country and three hundred and seventy-five thousand here in Illinois. What this bill does is, it says that we are decoupling from those rules at the federal level and maintaining the status quo here in Illinois. It is true, and this was discussed in committee, that there is a component of the federal rules that would basically adjust for inflation in terms of what hourly wage levels qualify for time and a half overtime. And the argument was made in committee that, well, isn't that a benefit to workers? Doesn't that balance off the -- the benefits that were made by -- or -- or, the losses the workers might suffer on the other side? And as I indicated in committee, all that the federal rules have done that we're maintaining is to adjust for inflation those wage rates at which overtime no longer applies. Otherwise, what we're doing is we're maintaining the status quo and making sure that nurses and other workers who, by any category, are struggling working families continue to benefit from overtime rules that have been in place for years. I'm happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Hendon, for what purpose do you rise, sir?

SENATOR HENDON:

Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The gentleman has moved the previous question. We have one, two, three people seeking recognition. Is there any discussion? Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

Thank you, Mr. President. To the bill.

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PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

You know, I think we need to be very, very care -- careful here in what we're doing. And I understand part of Senator Obama's ability and his tremendous way of gathering votes and support is that he is very persuasive and puts on a terrific presentation. And that's a sincere compliment. Here is the danger of what we're going to be talking about if this becomes law. Illinois will be the first state in the union to decouple. Think about that. The first state in the union. That puts us on an island. We talked about this last week. We've talked about this during the course of various events in the last several months. We're trying -- everybody uses the language of trying to create an environment where more people want to come into business and do business in Illinois. But the effect of this -- think about it. If you're a -- if you're a -- a member of a board of directors of a company and you have an office in New York City and you're sitting around, and they have various sites and various locations, and the State of Illinois pops up in the discussion, and they say, "Well, you know, maybe take a look at Illinois. Consider Illinois." And then some wise, young staff person says, "Oh. I don't know if you want to do that. Let me give you a transcript of the speech that the Governor gave a few weeks ago. The Governor basically said corporations in Illinois are tax cheats." That's the bumper sticker version of the Governor's proposal. And now -- now with this proposal we're saying, "Oh, the State of Illinois be -- be the only state in the country among forty-nine other states that decouples." The only state that makes it more expensive to -- to be a place to do business. This is a continuing drumbeat. It's a continuing litany of bad ideas. And we cannot act surprised when businesses say, "You know, we -- we can't do it. We can't do it anymore. We've got to move somewhere else." I've heard Senator Rauschenberger describe the administration coming in and -- and taking a look at what it's like. The administration is basically running off of a Chicago playbook that raises taxes on business, and Chicago businesses are basically landlocked. They don't have the ability to go anywhere else. But you know what?

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Businesses in all the other municipalities don't have that same underpinning where they're linked to a municipality. This bill says to -- says to companies, "We are complicated people to do business with. We're a hassle to do business with. We're not really serious about you wanting to do business with." That's why the Illinois State Chamber is against this bill. The NFIB is against this bill. The business groups are against this bill. I urge a No vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Forby, for what purpose do you rise?

SENATOR FORBY:

Thank you, Mr. President. I stand in support of this bill. You know, one of the biggest things I think everybody in this room has, and I've got many phone calls. "You know, I'm working fifty-five, I'm working sixty hours a week." He said, "I don't have no time with my family. I can't think. I can't do stuff right," and all that kind of stuff. If we do not pay overtime after forty hours there is a problem. We'll have people with less employees working hours and hours with stress and everything else, where you could go ahead and hire another person and work forty hours. I think this bill is really good. Where I come from we have high unemployment. And the people down there that don't work much at worse times, if it wasn't for their overtime, they wouldn't be making the wages where they could feed their family. So, I stand in support -- stand in support of this bill and I think it's a really good bill. So I hope everybody in this -- votes Aye today. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Brady, what purpose do you rise, sir?

SENATOR BRADY:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR BRADY:

Ladies and Gentlemen, Senator Roskam put it right and -- and so did the sponsor, Senator Obama. This is a bill that does take the provisions of the federal negotiated bill by the

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Department of Labor to improve the system and then creates an environment -- a negative environment on Illinois businesses. Ladies and Gentlemen, this is an anti-jobs bill. I know the Senator's intentions are well, but we have got to stop taxing and feeing businesses to death out of this State. It's also a bill that, frankly, was supported by the FOP. I have a letter here from the website of the FOP stating the National Fraternal Order of Police President Chuck Canterbury announces his full confidence in the success of the federal law. They are confident and feel it's important that the federal provisions stay in effect so that police officers, in this case, will continue to receive overtime benefits. This only affects those managerial individuals who are salaried, not hourly like Senator Forby was referring to, but salaried individuals who are working as management within the management structure to help make a business work. One of the reasons for this bill was a multi-million-dollar lawsuit that benefited only the trial lawyers, because they came in and sued under these provisions. The Bush administration has worked hard to increase the -- the minimum pay requirements and better clarify the exempted job descriptions, and it's important that we embrace that. It's important that we embrace that so that Illinois can send a message that we want you to employ people here, that we want to help your businesses prosper, because, Ladies and Gentlemen, the only way we're going to correct our financial problems is not to tax and fee and run businesses, but to encourage businesses to employ jobs. A vote for this legislation is an anti-job vote. And I ask for you to oppose it.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Obama -- seeing no further discussion, Senator Obama, to close.

SENATOR OBAMA:

Thank you very much, Mr. President. Let me just respond in order. There were a number of terrific points. First of all, I am a member of the mutual admiration society with Senator Roskam. I -- he -- he's always terrific, and I know he's got his family here today. He -- he's produced some beautiful children, which clearly shows to me that he knows how to choose a -- a spouse. And we were just talking about the fact that we

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both improved our DNA with our -- with our -- our choices of spouses. Having said that, have I said that he's wrong? I -- I love him, but he's wrong. And -- and -- and let me just correct a couple of things. Number one, we are not the only state in the union that has rules regulating overtime that are different from the federal law. Alaska, Kentucky, California did so prior to, actually, this particular piece of overtime regulation. So we're not the only ones who have made a decision that we're going to shape our overtime rules differently from what the federal -- federal folks have decided to do. And we are at a stage right now in which a number of states actually have this same piece of legislation in the pipeline. It just so happens, and appropriately so, that Illinois is first out of the gate on what is a good bill. The second thing that I wanted to raise was the issue that Senator Brady talked about. He characterized this as basically only affecting managers. That is simply not true. What you have is the potential for people who are paid salaries, in the sense that they're paid on a weekly basis, that are making not much more than the minimum wage - twenty-two thousand dollars a year - who are being characterized as potential managers or professionals when, in fact, they're low-wage workers. Now, what we don't want is a -- a situation - and that's what these rules are designed to protect and ensure - a situation where we decide to call the janitor in the building a sanitation engineer, and because we happen to be paying him weekly as opposed to hourly, that somehow we're exempting him from overtime regulations. So the intent of this bill is to make sure that low-wage workers who happen to be paid a salary, as opposed to hourly, are still assured the basic protections that businesses are very familiar with, that businesses have been practicing for many years. We are not somehow making it worse for them. We are essentially preserving the status quo. And the final point I have to make is that Senator Brady mentioned federal negotiations. These were not negotiations between labor and management. They may have been negotiations between Elaine Chao and companies that wanted to reduce their overtime. But -- but those are hardly the kinds of negotiations that I, at least, want to place a rubber stamp on. This is good legislation. It retains the status quo. Those of you who are

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concerned about workers, making sure that they are able to bring home a living wage, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator Obama. Okay. Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1645. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 36 Ayes, 19 voting Nay, 0 voting Present. Senate concurs in House Amendment No. 1 to Senate Bill 1645, and this bill, having received the required constitutional majority, is declared passed. Senator Obama, for what purpose do you rise, sir?

SENATOR OBAMA:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DeLEO)

Please state your point, sir.

SENATOR OBAMA:

I just want to acknowledge the terrific work that Comptroller Hynes did in moving this bill forward.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Okay. Ladies and Gentlemen, for information -- to the Body. Okay. We're now going to proceed to Senate Bills 3rd Reading on page 7 of the Calendar. For the information, there was a number of bills that were -- deadline was extended -- was extended, bills that were on 3rd Reading. We will now proceed to those particular bills. That's Senate Bills 3rd Reading with deadline extended. Senate Bill 717. Senator John Cullerton. Out of the record. Senate Bill 948. Senator Lightford, do you wish to proceed, ma'am? She indicates she wishes to proceed. Senate -- Senator Lightford seeks leave of the Body to return Senate Bill 948 to the Order of 2nd Reading for the purposes of amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading now comes Senate Bill 948. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

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Senator Lightford, to explain the amendment, ma'am.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Amendment 2 -- Floor Amendment 1 - I'm sorry. I've got a couple things going here - amends the Code of Corrections regarding certificate of relief from disabilities. It becomes the bill and -- just a moment, please. I apologize, Members. I needed clarification. What this Senate Bill {sic} 1 becomes the bill and adds to the list of licenses for which a certificate of relief from disabilities may be granted for the following areas: Home Medical Equipment and Services Provider License Act, a Dietician {sic} and Nutritional Service Practice Act, Professional Engineering Practice Act and the Electrologist License Act. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Senator Lightford moves the -- adoption of Floor Amendment No. 1 to Senate Bill 948. All those in favor will say Aye. All those opposed will say -- Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford, on Floor Amendment No. 2. Would you like to...

SENATOR LIGHTFORD:

Thank you, Mr. President. Again, Ladies and Gentlemen of the Senate, now I'm pretty clear about what I'm doing. I'm actually removing from Floor Amendment 1 a couple areas here. Home Medical Equipment and Services Provider License Act and the Dietetic and Nutritional Services Practice Act. So, basically, this bill would actually provide relief from disabilities from three additional categories. That would be the Water Well and Pump Installation Contractor's Act, Professional Engineering and the Electrologist Licensing Act. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

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Thank you, Senator Lightford. Okay. Senator Lightford moves the adoption of Floor Amendment No. 2 to Senate Bill 948. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading we have Senate Bill 948. Senator Lightford, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 948.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies -- and Gentlemen of the Senate. Floor Amendment 2 became the bill and I will be happy to answer questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Is there any discussion? Is there any discussion? Senator Roskam, for what purpose do you rise, sir?

SENATOR ROSKAM:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DeLEO)

She indicates she'll yield for a question, sir.

SENATOR ROSKAM:

Senator, I think you got a good bill. Want to -- just for the benefit of everybody, could you just tell them, in a nutshell, what it does and what it doesn't do?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Senator Roskam, this is a bill that will add three additional categories to a discretionary certificate of

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relief, where individuals who have been released from incarceration, so that they can have the opportunity to take on and gain employment in additional areas. And those three areas that we're adding on today, again, will be the Water Well and Pump Installation Contractor's License, the Professional Engineering Practice and the Electrologist Licensing. I just believe that they would have a -- a better opportunity to gain -- skillful employment.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any further discussion? Seeing no further discussion, Senator Lightford, to close.

SENATOR LIGHTFORD:

I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. The question is, shall Senate Bill 948 pass. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, take the record. On that question, there are 52 Ayes, 5 voting Nay, 0 voting Present. Senate Bill 948, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, continuing on page 7 of the Calendar, Senate Bills 3rd Reading, is Senate Bill 1636. Senator Jacobs. Denny Jacobs. Out of the record, Madam Secretary. Senate Bill 1731. Senator Haine. Senator Haine, on Senate Bill 1731. Madam Secretary, out of the record. Leave of the Body, Senate Bill 2112 we'll return to. Turning the page, continuing on Senate Bills 3rd Reading on page -- top of page 8 of the Calendar. Senator Susan Garrett, on 2142. Madam Secretary, out of the record. Senator Silverstein, on Senate Bill 2147. Do you wish to proceed? The Senator indicates he wishes to proceed. Senator Silverstein seeks leave of the Body to return Senate Bill 2147 to the Order of 2nd Reading for purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 2147. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

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PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein, to the amendment, sir.

SENATOR SILVERSTEIN:

Thank you, Mr. President. The amendment just removes the City of Chicago as an exemption.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Silverstein moves the adoption of Floor Amendment No. 2 to Senate Bill 2147. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it. And the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2147. Senator Silverstein, do you wish to proceed, sir? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2147.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This bill came out of hearings that the Executive Committee had after the fire at 69 West Washington. What this bill does, it allows a owner of a -- a public building that is over four stories one of two options for their stairwell closure. The first is that the -- no stair -- stairwell door will be locked at any time, to allow entry from the stairwell to the interior of the building. And the -- second option is to install a electronic release system that will operate when there is a loss of power that can be manually or automatically operated and is accessible to the building manager or the firefighting personnel. And I'll take any questions. Unfortunately, we have to present this legislation 'cause there were six people that were killed in a fire because

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they couldn't get out of a stairwell. So this would be the standard, and this will preempt home rule.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Is there any discussion? Senator Roskam, for what purpose do you rise?

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Sponsor indicates he'll yield for a question, sir.

SENATOR ROSKAM:

Senator, just for the -- for clarification. This is now one standard for the entire State of Illinois. All hundred and two counties. Is that right?

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein.

SENATOR SILVERSTEIN:

That -- that's correct, Senator Roskam.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

Senator, one question that actually did not come up that I recall in the Executive Committee, and that is the language of the bill says that we shall have an approved constantly attended location, that two-way communications portion.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator...

SENATOR ROSKAM:

What's your -- what's your intention in terms of that -- that definition? I don't think it -- it's defined elsewhere in the statute.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein.

SENATOR SILVERSTEIN:

Well, let me get the... Can you just tell me where you're at in the bill so I can...

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

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Senator, I'm actually looking at the amendment, but it looks like paragraph -- you know, parens (a), and then when you -- you drop down after point (1) and point (2). Are you with me? And it says, "A telephone or other two-way communications system connected to an approved constantly attended location..."

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Silverstein.

SENATOR SILVERSTEIN:

I'm hoping that some type of communication system will be in place, either telephone or walkie-talkie. That's -- you know, that's the intent of the -- the -- the statute -- the -- the bill here, because nothing has -- nothing has been proposed, nor is there anything on the books now that would allow this. So, I see what you're saying. I can see there could be some questions about this. But it's going to be up to the building owners to put this into place.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Roskam.

SENATOR ROSKAM:

To the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, sir.

SENATOR ROSKAM:

You know, I -- I want to compliment Senator Silverstein for taking the initiative on this issue. He held hearings in the summer -- or, earlier in the fall following the tragedy. And I guess the thing that we need to wrestle with today is the choice that we're making. There's a balancing that traditionally has gone on in terms of building safety issues. On the one hand, there is the fire issue, and that's what is dealt with in Senate Bill 2147, the fire safety codes and so forth. On the other side of the balance of safety is that sort of security notion. We've all heard stories and we've all read news accounts and we've seen lawsuits and so forth about women who have been sexually assaulted in buildings because of insecure buildings. Now, what we're basically doing is saying you've either got to have an electronic system to open up, or absent an electronic system, the stairwells need -- need to be open. And I think it's -- you know, we make choices and sometimes the choices are

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difficult. And I know that Senator Silverstein has tried to provide a balance, but just be aware that we're coming down heavily on the fire side. Just be aware that that's the choice that we're making in this bill, at the possible expense of leaving some people more vulnerable on the security side. I, myself, I'm going to vote Yes for the bill. I think it's pretty well put together. But just a heads up for the Body that that's really the choice that we're being asked to make today.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you, Senator. Any further discussion? Any further discussion? Senator Hunter, for what purpose do you rise, ma'am?

SENATOR HUNTER:

I'd like to speak to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

To the bill, ma'am.

SENATOR HUNTER:

I'd like -- I, too, would like to commend Senator Silverstein for working so hard on this bill. The fire did occur in my district and was such a tragedy, and I feel so bad about it. But this is a good bill. I think that we're headed in the right direction, and I ask for an Aye vote as well. Thank you.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you for your remarks. Seeing no further discussion, Senator Silverstein, to close, sir.

SENATOR SILVERSTEIN:

Thank you very much. And Senator Roskam does -- point out some good points, but this is a balancing act. We're doing our best, and as everyone's giving me accolades, I've got to thank Sam, 'cause she did a lot of the amendment. So, want to give her some credit, too. So I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. No further discussion. Senator Silverstein closed. The question is, shall Senate Bill 2147 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting

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Present. Senate Bill 2147, having received the constitutional majority, is declared passed. Continuing on page 8 of the Calendar. Middle of page. Senator Link, on 2287. You wish to proceed, sir? Okay. On that -- Senator Link seeks leave of the Body to return Senate Bill 2287 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the -- on the Order of 2nd Reading now is Senate Bill 2287. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Petka, to explain the amendment.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. First of all, before I explain the amendment, I would like to sincerely thank the sponsor of the -- of the underlying bill, Senator Link, for working with -- with me in connection with placing this amendment on -- on a bill. What this amendment does, in summary form, is it will ensure that the number of associate judges will not be reduced in the 12th Judicial Circuit as a result of the implementation of Senate -- Senate Bill 75, which was passed last spring and signed by the Governor. And with that, I would urge its adoption.

PRESIDING OFFICER: (SENATOR DeLEO)

Is there any discussion? Is there any discussion? Seeing no discussion, Senator Petka moves the adoption of Floor Amendment No. 2 to Senate Bill 2287. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the -- amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Madam {sic} President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2287. Senator Link, do you wish to proceed? He indicates he wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2287.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Link.

SENATOR LINK:

Thank you, Mr. President. Basically what this bill does is with Amendment 1 and 2, is the trailer bill for Senate Bill 75 that we passed last year. It was a promise that President Jones and myself made that we would correct the problem. I -- I think we fulfilled our promise. We worked with the Republican Leadership and we carved this bill out, and I think we answered all the concerns that were addressed. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no discussion -- seeing no discussion, Senator Link, to close.

SENATOR LINK:

I would just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DeLEO)

Thank you. Okay. The question is, shall Senate Bill 2287 pass. All those in favor, vote Aye. All those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are 56 Ayes, 0 voting Nay, 0 voting Present. Senate Bill 2287, having received the required constitutional majority, is declared passed. Continuing on page 8 of the Calendar is Senate Bill 2349. Senator Crotty. Do you wish to proceed, ma'am? Okay. Senator Crotty seeks leave of the Body to return Senate Bill -- 2349 back to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading now is Senate Bill 2349. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty, to explain the amendment.

SENATOR CROTTY:

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Certainly. The -- the amendment just changed the amount for this bill from thirty million to twenty-five million.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Senator Crotty moves -- is there any discussion? Is there any discussion? Seeing no discussion, Senator Crotty -- moves the adoption of Floor Amendment No. 2 to Senate Bill 2349. All those in favor will say Aye. All those opposed will say Nay. The Ayes have it, and the amendment is adopted. Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR DeLEO)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 2349. Senator Crotty, do you wish to proceed? She indicates she wishes to proceed. Madam Secretary, please read the bill.

SECRETARY HAWKER:

Senate Bill 2349.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DeLEO)

Senator Crotty.

SENATOR CROTTY:

Thank you very much. What this bill actually does is it was -- came about with a -- with meetings with the Governor. We all voted on that double whammy provision last year. It went over to the House. Everybody was voting for it. There was a hundred-and-thirty-million-dollar price tag on it. I held it from overriding the veto in the House, met with the Governor's Office, and we're now able to at least get twenty-five million dollars into this program. So, I would ask for your vote again on this. Thanks.

PRESIDING OFFICER: (SENATOR DeLEO)

Okay. Seeing no discussion, the question is, shall Senate Bill 2349 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On that question, there are

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55 Ayes, 1 Nay, and 0 voting Present. Senate Bill 2349, having received the constitutional majority, is declared passed. Ladies and Gentlemen, continuing on the page -- Senate Bills 3rd Reading on page 9. On the top of page 9 is Senator Pat Welch. Senator Pat Welch in the Chair.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein, on Senate Bill 2409. Do you wish to proceed? Read the bill, Madam Secretary. Senator Silverstein seeks leave of the Body to return Senate Bill 2409 to the Order of 2nd Reading for purposes of an amendment. Is there leave? Leave is granted. On the Order of 2nd Reading is Senate Bill 2409. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Silverstein.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. Floor Amendment No. 3 just clarifies that this bill will only be -- apply to Cook County.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further amendments, Madam Secretary?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

3rd Reading. On the Order of 3rd Reading is Senate Bill 2409. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2409.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Mr. President. This bill came from an article that was in the Chicago Tribune detailing how mentally incompetent homeowners were losing their home to tax scavenger

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businesses. The intent of the bill and what the bill does, it provides for safeguards who people -- individuals who are disabled, who unfortunately do not pay their taxes for one reason or another, it provides to protect them in case there is a tax sale. It provides that a notice be sent to these individuals. The public guardian would investigate to see whether the person is disabled, and then would petition the court for the individual being disabled. It's really a -- a bill to -- intended to help the elderly. It provides for safeguards. It's support by the AARP. I'll take any questions, if there is.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Roskam.

SENATOR ROSKAM:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR ROSKAM:

Senator, we talked about this a little bit in Executive Committee couple hours ago. I am concerned about the definition of "disabled" as is in your bill. It references the definition in the Probate Code and I'm just curious -- and I understand sort of the legal -- the -- the lawyer -- the purist lawyer argument that says let's not come up with a new -- definition for this bill. But I think we really should. I -- I think it's a better approach, and just want to get your thoughts on that.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Thank you, Senator Roskam. I did a little research. The -- the definition of disabled -- the -- disabled individual is in the Probate Act and it was enacted in 1979. And even though it makes references to individuals that may be declared disabled due to intoxication or other -- because of gambling or other excessive behavior, in order to be declared disabled, you just can't wake up one morning and say, "I'm disabled." A court proceeding has to be held, a doctor's report has to be submitted, and the petitioner has to show by clear and convincing evidence that one is disabled. So, it's a pretty

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tough -- tough standard. In fact, last year we amended it to -- a bill, which I introduced and became law, that if anyone wants to be rejudicated {sic} the standard has to be also clear and -- clear and convincing. I agree with you, and there is some -- some discussion about the definition of being disabled. But I think for continuity's sake, the -- definition is already in the statute, and I want to try to keep things as simple as possible. By us crafting a new definition eliminating a person who is disabled because of maybe intoxication or gambling problems, we may be creating some constitutional problems later on if someone says that in one statute I can be declared -- disabled because of this, and now I can't because of another reason. So I -- I understand your point. I know we can go back and forth. Your son's behind you and I'm sure he wants to join in. But I'm trying to keep things consistent and I think things -- there's got to be some order here. And that's what I'm trying to do.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Roskam.

SENATOR ROSKAM:

Well, thank you, Senator. To the bill: You know, there's a reason that there's a lot of jokes about lawyers, and every once in a while, the general public has to pull lawyers back, from the back of our necks, from the cliff of legal reasoning that we're about to jump into. We saw that this week when we were all watching with interest the national news when Condoleezza Rice, the lawyers in the White House, came up with this complicated reason why she shouldn't testify in front of the committee. And then when everybody really thought about it, they thought, "That's -- that's ridiculous. Go and testify in front of the 9/11 Committee, tell 'em what you know and be done with it." The lawyers weren't very happy with that, but it was the right thing to do. Now, the lawyer argument that the sponsor is making is a -- is an argument that I respect in many circumstances, but this is why you've got to spare us lawyers from -- from getting all lawyerly about this. Because what the sponsor is -- is saying is -- and believe me, we -- we've got to help him out. He does not want this to happen, but this is what the bill will -- will allow. It will allow this benefit. In other words somebody doesn't pay their taxes and for one reason

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or another -- you know, if they are disabled, as we all have come to learn that term "disabled," then by all means they should be given an opportunity to redeem. And I understand where the Senator is coming from. The hang-up that I have, and I think why we should reject this current definition of disabled, is that it would -- somebody who is disabled because they are gambling, they're idle, or their excessive use of intoxicants or drugs spends so much or wastes his state as to expose himself or his family to want or suffering, that's not the type of person that should get the benefit of the doubt. That's not the type of person that we should bend over backwards. So what I think we should do on this bill is we should vote No or Present based on that definition of the bill -- of that definition of disability. Let's hold it back. Let's trim the definition down, even though the lawyers don't necessarily like that. But let's trim that definition down and let's send a good -- bill over to the House. So I urge a No or Present vote.

PRESIDING OFFICER: (SENATOR WELCH)

Further discussion? Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Indicates he'll yield, Senator.

SENATOR RIGHTER:

Senator, first, you and I discussed this bill last week and you were kind enough to have a couple people from the Cook County Guardian's Office come over and speak to me and help me, explain a little bit about what's in the bill, and I appreciate that. I've got a few questions. It's my understanding that there are about twenty thousand residential petitions that are filed each year in Cook County. Is that -- is that the number of petitions that the Office of the Guardian is going to be required to investigate every year to see if there's a possibility of a disability and that's why the taxes weren't paid?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

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I'm told this is class C property, so it's only about two or three hundred -- residential property. Only two or three hundred pieces of property.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

It's my understanding, from -- from their own records, that that's -- two or three hundred is the number of the actual deeds that would come to fruition. But it's my understanding the investigation has to be initiated when the petition's filed. Isn't that right?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

No. I -- I think -- it's -- it's before the tax sale. No. I -- I think you might have some information.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. The other issue I want to talk about is the indemnity fund. Now, it's my understanding that the indemnity fund exists to help people get their homes back, to pay their taxes and to redeem and get their -- their money back and that that money has always been restricted to that use. And in your bill, and I'm on page 4 quoting from lines 7 and 8, it says, "...the reimbursement for costs and attorneys fees approved by the court shall be paid from the indemnity fund..." So what I read this to mean is that the twenty bucks that the -- the tax buyer pays into the indemnity fund every time they purchase a property that's supposed to be used exclusively to help these people get their -- their property back is now going to pay for attorneys fees. Is that a fair reading of what you've got in your bill?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Are you looking at the bill or the amendment?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

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SENATOR RIGHTER:

Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

The -- the estate would reimburse.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

So what I'm reading is not really in the bill, or -- I mean, because the language here clearly says that the attorneys fees and costs will be paid from the indemnity fund, not the estate.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

It does say that, but you'd have to be reimbursed by the estate. You're right. You're right. It does say that, but it would be reimbursed by the estate.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Well -- you -- I'm confused, Senator. You're -- you're saying that while the bill says that and it would become law, that that's not really going -- what's going to happen. It's going to be reimbursed by the estate. I'm confused. Do you mean that this really doesn't mean what it says?

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein.

SENATOR SILVERSTEIN:

Getting two conflicts over here. The way I read this, yes, you're right. I think it would be reimbursed by the indemnity fund. Okay.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. To the bill: Very briefly, I rise in opposition to the bill. I appreciate the sponsor's work and I understand that he's trying to do something that is very

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worthwhile goal, but the indemnity fund that's set up here to help protect the people that he is aiming to protect is now going to start paying for attorneys fees under this bill. And that's not right. This -- that fund is not for lawyers. That fund is to help these people get their properties back. And based on that, I would urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? If not, Senator Silverstein, to close.

SENATOR SILVERSTEIN:

I have -- ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WELCH)

The question is, shall Senate Bill 2409 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Members voting Yes, 21 Members voting No, 5 Members voting Present. All -- Senate Bill 2409, not having received the required majority, is declared lost. Senator Silverstein, for what purpose do you rise?

SENATOR SILVERSTEIN:

Put this on Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Silverstein requests that Senate Bill 2409 be postponed. The bill will be placed on the Order of Postponed Consideration. With leave of the Body, leave having been granted to Senator DeLeo who was in the Chair, we will return to page 7. Senate Bill 2112. Senator DeLeo seeks -- Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2112.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator DeLeo.

SENATOR DeLEO:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 2112 - as you know, many areas in the State of Illinois are experiencing extremely rising property

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taxes. This Senate Bill 2112 will provide some property tax relief to every county in the State. Let me address some of the things that are in this bill. Currently, the senior citizens' assessment freeze homestead exemption this -- in this bill will increase. It's currently forty thousand. It goes to forty-five thousand. This will -- there's also enabling legislation that the Cook County Board can pass a resolution providing that an individual who's granted a senior citizen homestead exemption does not have to reapply every year. It's making it easier for -- for the senior citizens' homestead exemption. It's currently like that in every other county. So once they apply, they have it forever. There's also an additional general homestead exemption which is allowed if the assessed valuation has increased more than twenty percent from the previous assessed valuation. And last, but not least, one of the provisions in this bill is the homestead improvement exemption, which is -- which is for additions to existing homes -- who rebuild their structure. It will increase from forty-five thousand to seventy-five thousand. So I think the message is "improve, don't move," and I think there's -- it's about time we do some property tax relief for the citizens of this great State. Once again, let me make this very clear: This bill includes all hundred and two counties. So, Mr. President, I ask for a favorable roll call on Senate Bill 2112.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. To the bill: I would just like to let the folks on this side of the aisle know that in the Revenue Committee we were all Yes votes, and I commend the sponsor for his good work on this legislation.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any further discussion? Seeing none, the -- the question is, shall Senate Bill 2112 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 54 Members voted Yes, no Members voted No, and no Members voted Present. Senate Bill

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2112, having received the required constitutional majority, is declared passed. Senator Meeks, for what purpose do you rise?

SENATOR MEEKS:

Mr. Speaker, I hit the wrong button. I wanted to be recorded as Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Meeks seeks leave to be recorded as voting Aye on Senate Bill 2112. The record will so reflect. Senate Bill -- on -- back to page 9. Senate Bill 2414. Senator Haine. Out of the record. Senate Bill 2567. Senator Demuzio. Out of the record. 2618. Senator Haine. 2664. Senator Garrett. 2724. Senator Schoenberg. Senate Bill 2777. Senator Dillard. Senate Bill 2778. Senator Dillard. Senate Bill 2784. Senator Dillard. Senate Bill 2785. Senator Dillard. Senate Bill 2786. Senator Dillard. Senate Bill 2791. Senator Crotty. Senate Bill 2801. Senator Emil Jones. Senate Bill 2902. Senator Garrett. Senate Bill 2907. Senator Maloney. Senator Maloney seeks leave of the Body to return Senate Bill 2907 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate Bill 2907. Madam Secretary, are there any amendments approved for consideration?

SECRETARY HAWKER:

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

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney, to discuss Floor Amendment No. 1.

SENATOR MALONEY:

Thank you, Mr. President. The amendment simply says that if documents related to public utilities in this bill are deemed proprietary, they can be kept that way. This is the language that removed any opposition to the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Seeing none, all those in favor, vote Aye. Opposed, vote Nay. The Ayes have it. Amendment is adopted. Are there any further Floor amendments?

SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

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3rd Reading. On the Order of 3rd Reading is Senate Bill 2907. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Bill 2907.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. This bill is a pro-consumer bill that has been agreed to by the State's Attorney's Office, the Attorney General's Office and public utilities. The bill simply clarifies for consumers the proper venue and remedies for complaints against public utilities. The -- as the industry becomes more deregulated, this is a preemptive or proactive protection for consumers. The -- utilities have agreed to the language that protects their proprietary plans.

PRESIDING OFFICER: (SENATOR WELCH)

Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 2907 pass. All those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 56 Members voted Yes, no Members voted No, no Members voted Present. Senate Bill 2907, having received the required constitutional majority, is declared passed. Senator Link, for what purpose do you rise?

SENATOR LINK:

For the purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR LINK:

Senate Revenue Committee will meet at 11 a.m. in Room 400 tomorrow.

PRESIDING OFFICER: (SENATOR WELCH)

Senate Revenue at 11 o'clock. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

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Thank you, Mr. President. The Executive Appointments Committee will meet tomorrow morning at 8:30 a.m. in Room 212. Be on time.

PRESIDING OFFICER: (SENATOR WELCH)

Senator Jacobs, what purpose do you rise?

SENATOR JACOBS:

For an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR WELCH)

Please proceed.

SENATOR JACOBS:

The Insurance and Pensions Committee will meet to discuss TRIP tomorrow at 9:30 in Room 400. So please be there if you're interested. Yes.

PRESIDING OFFICER: (SENATOR WELCH)

Ladies and Gentlemen, there being no further business to come before the Senate, the Senate stands adjourned until the hour of 11:30 a.m. on Thursday, April 1, 2004. Senate stands adjourned.