

STATE OF ILLINOIS  
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REGULAR SESSION  
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PRESIDING OFFICER: (SENATOR SULLIVAN)

The regular Session of the 97th General Assembly will please come to order. Will the Members please be at their desks? Would our guests in the galleries please rise? The invocation today will be given by Dr. Patrick Pajak, Illinois Baptist State Association in Springfield, Illinois.

DR. PATRICK PAJAK:

(Prayer by Dr. Patrick Pajak)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Please remain standing for the Pledge of Allegiance. Senator Jacobs, to lead us in the Pledge.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journals of May 17th, 18th, 19th and 20th, 2011.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Reading and Approval of the Journals.

SECRETARY ROCK:

Senate Journal of Wednesday, November 9th, 2011.

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PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 444, offered by Senator Althoff and all Members.

Senate Resolution 445, offered by Senator Althoff and all Members.

Senate Resolution 447, offered by Senator Link and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Resolutions Consent Calendar.

SECRETARY ROCK:

Senate Resolution 446, offered by Senator Radogno.  
It is substantive.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Madam Secretary, Introduction of Senate Bills.

SECRETARY ROCK:

Senate Bill 2529, offered by Senator Steans.

(Secretary reads title of bill)

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1st Reading of this Senate bill.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if we could have your attention. The Senate will stand at ease for a few minutes to allow the Committee on Assignments to meet. Will all the members of the Committee on Assignments please come to the President's Anteroom immediately? Again, the -- members of the Committee on Assignments will meet in the Anteroom immediately. The Senate will stand at ease. (at ease) The Senate will come to order. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Appropriations II Committee - Motion to Concur with House Amendments 1, 2, and 3 to Senate Bill 2458; refer to the Executive Committee - Motion to Concur with House Amendment 1 and 4 to Senate Bill 1865 and Motion to Concur with House Amendment 2 to Senate Bill 1992; re-refer from the Human Services Committee to the Executive Committee - Motion to Concur with House Amendment 1 to Senate Bill 1377; and re-refer from the Local Government Committee to the Executive Committee - House Bill 508 and Motion to Concur with House Amendment 2 to Senate Bill 92.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SULLIVAN)

Ladies and Gentlemen, if I could have your attention for some announcements. The following committees will be meeting to take up committee or Floor amendments or motions released by the Committee on Assignments: Appropriations II Committee will meet

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in Room 212 at 10:10 a.m.; Pensions and Investments -- excuse me, State Government and Veterans Affairs will meet in Room 409 at 10:10 a.m.; Executive will meet in Room 212 at 10:40 a.m.; and Pensions and Investments will meet in Room 400 at 10:25 a.m. So, let me run through those committee announcements again. Approp II, Room 212, 10:10 a.m.; State Government and Veterans Affairs, Room 409, 10:10 a.m.; Pensions and Investments, Room 400 at 10:25; and Executive will meet in Room 212 at 10:40 a.m. Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

Thank you, Mr. President and Members. I would like the record to reflect that Senator Pamela Althoff is gone today because of a death in the family.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The record will show -- so reflect. Thank you, Senator Dillard. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. The Republicans would request a thirty-minute caucus immediately, in Room 409.

PRESIDING OFFICER: (SENATOR SULLIVAN)

The Senate Republicans have moved to recess the Senate for the purposes of a thirty-minute caucus. Seeing no objection, the motion to recess is granted. The Senate stands in recess and will reconvene after committee meetings. The Senate will stand at recess to the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Will all Members at the sound of my voice please come to the Floor? We are going to begin substantive action. All the Members at the sound of my voice please come to the Senate Floor. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Holmes, Chairperson of the Committee on State Government and Veterans Affairs, reports Motion to Concur with House Amendments 1, 2, 3 and 4 to Senate Bill 40, Motion to Concur with House Amendment 2 to Senate Bill 1640, and Motion to Concur with House Amendments 1 and 2 to Senate Bill 1750, all recommended Do Adopt.

Senator Kotowski, Chairperson of the Committee on Appropriations II, reports Motion to Concur with House Amendments 1, 2 and 3 to Senate Bill 2458 recommended Do Adopt.

Senator Raoul, Chairperson of the Committee on Pensions and Investments, reports Senate Amendment 2 to House Bill 3375 recommended Do Adopt.

Senator Harmon, Chairperson of the Committee on Executive, reports House Bills 508 and 588 Do Pass; and Motion to Concur with House Amendment 2 to Senate Bill 92, Motion to Concur with House Amendment 1 to Senate Bill 1377, Motion to Concur with House Amendments 1 and 4 to Senate Bill 1865 and Motion to Concur with House Amendment 2 to Senate Bill 1992, all recommended Do Adopt.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To clarify, the Senate has come to order prior to the Secretary reading in those Committee Reports. Madam Secretary, Resolutions.

SECRETARY ROCK:

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Senate Resolution 448, offered by Senator Annazette Collins and all Members.

Senate Resolution 449, offered by Senator Haine and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Resolutions Consent {sic}, Madam Secretary. Messages from the House.

SECRETARY ROCK:

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

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

House Joint Resolution 49.

Offered by Senator Harmon. It was adopted by the House, November 9th, 2011. Timothy D. Mapes, Clerk of the House. It is a death resolution, Mr. President.

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

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

Senate Bill 1538.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 1 and House Amendment 3.

It passed the House, as amended, November 10th, 2011. Timothy D. Mapes, Clerk of the House.



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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Tony Yuscus seeks -- seeks permission to videotape live, from blueroomstream.com. Seeing no objection, leave is granted. We will -- we're proceeding to the Order of Motions in Writing on page 9. Senator John Jones. House Bill 3178. Do you wish to proceed? Madam Secretary, read the bill. Again, all Members at the sound of my voice please come to the Floor. We're proceeding with substantive action, Motions in Writing. Again, all Members at the sound of my voice come to the Floor. At this point, we're going to take that motion out of the record. Senator Haine, for what purpose do you seek recognition? Out of the record. Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

Mr. President, for purpose of an announcement.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Trotter, please state your announcement.

SENATOR TROTTER:

Thank you very much. Members of the Senate, immediately upon recess, the House Democrats will have a caucus in the President's Office for a half an hour.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

House Democrats?

SENATOR TROTTER:

The Senate. I -- I was just thinking about how they killed that wonderful gaming bill yesterday and it was on my mind. Sorry about that.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That is in order. The Senate Democrats have moved to

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recess for the purpose of a thirty-minute caucus. Seeing no objection, the motion is granted. The Senate will stand in recess until 12:45.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The Senate will come to order. We're on the Order of the regular Calendar. We're going to page 2 -- I'm sorry, page 7. Number two on the Order of the regular Calendar, Senate Bill 2147. Senator John Sullivan has a motion. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 5, 7 and 9.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to explain the motion.

SENATOR SULLIVAN:

Thank you, Mr. President. The -- the amendments become the bill. I'd be happy to discuss them further on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

This is -- this is Concurrence. This is... Senator Sullivan, to explain.

SENATOR SULLIVAN:

Thank you. Sorry about that. Ladies and Gentlemen of the Senate, Mr. President, the -- the issue at hand with this legislation is the funding for the regional offices of education. There are forty-four regional offices of education

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across the State of Illinois. There are also three service centers in Cook County and there's one service center in the City of Chicago. These offices are created by statute. These are elected officials working in these offices. We funded those -- we funded those offices, the regional offices of education and the service centers, in the recently passed current fiscal year budget. The Governor vetoed their funding out of the budget. That was two different line items - one for salaries, one for services - a total of approximately thirteen million dollars. The -- the veto -- of course, the budget was on a House bill. The vetoes were not overridden in the House. And so those elected officials and their staff have been serving and doing their duties for -- since July 1st of this year without any compensation. The proposal in front of us today is to take a total of approximately thirteen million dollars from the Corporate Personal Property Replacement Tax and funding the ROEs for this current fiscal year. In addition, in the legislation, is it creates a commission for streamlining Illinois' regional offices of education. Fourteen members are appointed by the Leaders, by the Governor, and also from respective interests on this issue. We had a -- a very lengthy debate last night in the Senate Education Committee. Want to certainly thank the members of the committee for that -- for that good discussion, and also in Approp -- Appropriation Committee this morning. But as a result of that discussion and also working with Senator -- or, Representative Mautino in the House, that -- the current legislation says that this commission is going to give a report to the General Assembly on August the 1st. And it was decided that that obviously is way too late to include the findings of

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this commission to talk about funding the ROEs in the next fiscal year's budget. So we will pass a trailer bill -- we will introduce a trailer bill in January when we come back that will move that date up, that reporting date up, at least till April 1st, possibly till March 1st, so that the results of that commission can be incorporated into our budget talks and also the long-term strategy of what we want to do with the regional offices of education. The -- these are elected officials, people that have -- that their duties and responsibilities are created by statute. If we want to have a discussion, which I think we should, and I know many Members of the General Assembly think we should have a discussion, as to what role the General Assembly wants to give to the regional offices of education, I am willing to have that discussion. I have said that from day one. But we need to have that discussion, and that is the -- what we will do next year when we come back in the spring Session. Mr. President, I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Jason Wambsgans, with Chicago Tribune, requests permission to take still photos. Seeing no objection, permission is granted. Paul Nickols, with WMAQ-TV, requests leave to -- requests leave to video. Seeing no objection, leave is granted. Mary Ann Ahern, with NBC 5 Chicago, requests permission to videotape. Seeing no objection, permission is granted. Rodney Correll, with WLS-TV Chicago, requests permission to videotape. Seeing no objection, is granted. Seth -- Perlman, Associated Press, requests permission to take still photos. Permission is granted. Rodney Correll, with ABC-TV, requests permission to videotape. Permission is granted. Andrew Maloney and Ashley

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Michaels, Illinois Statehouse News, requests permission to videotape. Permission is granted. Is there any discussion? Senator Bill Haine.

SENATOR HAINE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To the bill: As noted by the sponsor of the bill, there will be a commission established to study, and I presume and I hope this is the final study and analysis of the -- the decomposition of these offices or the consolidation of these offices or the abolition of these offices, whatever it is, this coming year. Personally, I've been told the offices are unnecessary. It's been mainly anecdotal comment that they are not necessary. I've been told by superintendents of public instruction that they are necessary for a number of -- of reasons. I've been told by people who are administrators in the parochial school system that they find these offices are necessary to -- to certify the parochial schools. The alternative would be, of course, to abolish them and centralize the authority in the Illinois State Board, and then the State Board would perform these functions statewide. And, of course, the -- the State Board is appointed by the Governor and functions as a statewide agency. And I recall a number of years ago that our past Governor referred to the State Board of Education as a, quote, "Soviet-style bureaucracy", end of quote. So the feelings of warmth and affection for centralizing this come and go. In the meantime, we are faced with a -- a -- a situation, not of our making, where people have run for an office that is authorized by law. This has been authorized by law for decades. And men and women across the State, of both

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parties - it's a bipartisan system - have run for these offices and been elected. In the middle of the first year of their term, their salaries are removed. Ladies and Gentlemen, I do not believe that is consistent with a lawful constitutional system, to ask people to make a decision to assume the responsibilities of office and then not pay them. We -- we just had a constitutional amendment approved by this General Assembly to abolish a statewide office, to consolidate the Comptroller and the Treasurer. That's going to be authorized by the people of Illinois in a referendum. We didn't decide not to pay one of them and send them packing without pay or to ask them to serve in that capacity without pay. We did a lawful procedural course. And that's what we are doing today. We are going to fulfill the obligations of office and we are going to do it in a lawful, systematic manner. This is a government of law. It is -- we -- the State of Illinois functions as a constitutional order and that's why I'm voting for the bill. When the debate comes up next year, we will be fully informed as to whether to tell the citizens we believe this office is unnecessary and get rid of it. But in the meantime, when someone takes an oath of office, they should be paid. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Koehler, for what purpose do you seek recognition?

SENATOR KOEHLER:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Koehler.

SENATOR KOEHLER:

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Yes, Senator Sullivan, I've had really just one group in my district that has contacted me, the City of Peoria. And so I did some research. I know that based on last year's, you know, fund, that we were talking about a potential hit on their budget, about eighty thousand dollars; school district, about a hundred and thirty thousand dollars; County of Peoria, about forty-eight thousand dollars. But that's based on last year's fund. We don't know what the numbers are yet. But can you tell me, are there any projections as to what -- because we're talking about a one percent, pretty much, across-the-board cost to our municipalities and counties. What's your best guesstimate as to what the actual fund balance might be and how this will impact our communities?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

Yes, thank you, and I appreciate the question. And -- and we are working off of the Fiscal Year '11 revenue number. So -- and that number was 1.44 billion dollars, is what came into that fund. We are anticipating that that fund is going to collect additional money in this current fiscal year. And so the amount -- the impact that it's going to have to the entities that take money out of the Corporate Personal Property Replacement Tax, as you mentioned, is going to be a little bit less than one percent. But if the fund grows in dollars collected, there will probably be no reduction, and if -- in fact, there could very well be an increase over last year. We can't guarantee that 'cause we don't know what the final fund balance is going to be, but certainly projections have seen it increasing.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter, for what purpose do you seek recognition?

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he will yield, Senator Righter.

SENATOR RIGHTER:

Senator Sullivan, in the spring, the General Assembly voted and approved and sent to the Governor's Desk a budget that paid these salaries out of the General Revenue Fund. It's my recollection that you supported that budget. This takes those salaries from an entirely different fund. Am I -- have I painted that picture accurately so far?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

Yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator Sullivan, if you were making this decision about where these salaries would be paid from, would you pick the fund that is the subject of your motion or would you pick the General Revenue Fund, as was in the budget that passed in May?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

As you mentioned, Senator Righter, I supported the budget that passed that funded the ROEs out of the General Revenue Fund



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and I think that that's where the -- we -- we did that once. I think that that's where the funding should come from as well.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Then why are you moving the motion?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

Because the -- the veto motion to override that amendatory reduction, the zeroing out of the ROE's salary, was on a House bill and the House did not override the motion. So, that is not an option at this time and that's why we have legislation in front of us to fund them out of the CPPRT.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Senator Sullivan, there -- it's my understanding you're the sponsor of an appropriations bill that would appropriate the salaries out of the General Revenue Fund. Is that correct? And that's here on the Senate Floor?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

I'm not sure. I possibly could be. I'm not sure.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

You're not sure about which part?

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

You're -- what you're -- what you're saying is that I have sponsored legislation that would fund the salaries of the ROEs, a separate bill unrelated to a budget. This is just simply an appropriation bill, if I'm correct. And I don't recall if I have done that. I -- you know, I may have. I'm not sure. It's possible. I don't -- I'd have to look.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President. So, Senator Sullivan, if -- would it be accurate to say that -- that we are in the position that because the concurrence motion is over here, that this is, in some respects, the only game in town, or at least that's what's before us?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan.

SENATOR SULLIVAN:

I would say that's an accurate description. This is -- because the -- the veto was not overridden in the House, we do not have the option of trying to override the veto, obviously, and so the House has passed this legislation to fund the regional offices through the CPPRT, and that's the only option that we have on the table at this point.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Righter.

SENATOR RIGHTER:

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To the motion, if I might, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the motion.

SENATOR RIGHTER:

Thank you, Mr. President, and thank you, Senator Sullivan. And I -- I have a measure of sympathy for Senator Sullivan, who is in a position - although, I mean, he's obviously chosen to take this position - where he is carrying something that he believes is the best we can do. Now, I've had conversations with a laundry list of regional superintendents of education and -- and I have those who serve my constituents sitting right up here. I have yet to talk to one who believes that this is the best remedy to pay them - not one. Every one of them believes that the appropriate fund from which to draw their salaries and their assistants' salaries is the General Revenue Fund. This is the expense that the State taxpayers said that they would take up. This is the expense that the State taxpayers have taken up for a long, long time. Being the good people they are, the regional superintendents recognize that it's not right. It's not right to go to the locals who are receiving this money, the Corporate Personal Property Replacement Tax, and say, "We're going to take it from you. We're going to take eighty thousand dollars from you, City of Peoria, or we're going to take X amount of money from the Mattoon School District, or wherever else it is, and all the school districts and all the local governments that you -- that you represent." They recognize this is not the right thing to do. So this is not the right policy. So why is it that we're here now? Because - two issues - one, a horrid lack of leadership from the Governor. These

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people were elected, as Senator Sullivan said and Senator Haine followed up with, to four-year terms. They're elected officials and they should be paid. And the Governor, for reasons that are still beyond understanding to me, decided that they weren't going to be paid somehow, even if they were elected to office and sworn into office. I still don't understand why the Governor did that. Second, it's because the Leader of the House of Representatives has deemed to everyone, and particularly this Chamber, that this is the way it'll be. The Speaker of the House of Representatives has taken advantage of the tragic mistake that the Governor made and has now decided to tell his members and every Member in here that this is it - take it or leave it. You want to hurt people, then vote No. You know, for years in this building, things have been going wrong. We have limped down a road that has seen us accumulate a multibillion-dollar backlog of bills, a deficit that continues to mount to this day with the budget that passed in May, and a laundry list of other issues. And a big part of the reason is not because most people in this Chamber, or I believe most people in the House, want it to be that way; it's because we allow the State's leaders and, in this instance, the Speaker of the House to say...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator, I've given you a lot of...

SENATOR RIGHTER:

...this is it.

RESIDING OFFICER: (SENATOR CLAYBORNE)

...I've given you a lot of leeway, but -- but you've kind of drifted away from the substance of the bill. Senator Righter, to -- to finish, please.

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SENATOR RIGHTER:

Thank you, Mr. President. During the House debate -- I'm almost finished. Thank you, Mr. President. During the House debate and in the committee debate last night on this bill - on this bill - I heard lawmaker after lawmaker after lawmaker say, "This isn't right." "This breaks my heart." "We shouldn't be doing this." "This isn't the best policy." And then, vote Yes. As long as we continue to stomp our feet and slam our hands and say this isn't right and then vote Yes, we're going to continue to limp down this same road. Let's do what's right here by first saying no to this and saying that these folks should be paid out of the same fund that they've always been paid out of. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Maloney, for what purpose do you seek recognition?

SENATOR MALONEY:

Just to the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill.

SENATOR MALONEY:

We, here in the Senate, I think, have been put into a difficult position that, believe it or not, is not of our doing. And so for that reason, I'm kind of conflicted on this bill, because I believe in the service that the regional office of superintendents have done. I believe in the educational service centers. I have been a recipient of many of their programs, professional development, and I think it -- it goes without saying, it's made me a better educator. This, as we know, though, is going to -- the funding for this is going to be taken

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from the local governments. While the -- the dollars is not significant, the principle, that -- these local governments does deserve consideration. I have had the opportunity to talk to some of my mayors in the district. They understand that -- the difficult position we're in. They understand the value of these regional service centers. But, again, they're afraid that this is the slippery slope thing. When I assured them that this is a program that will get consideration, this office will get consideration, that we should have a resolution to this situation in a year, hopefully they will fully understand. And for that reason, I will be voting Yes.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Ed Cross, with WAND-TV, requests permission to videotape. Seeing no objection, permission is granted. Senator Dillard, for what purpose do you seek recognition?

SENATOR DILLARD:

Thank you, Mr. President and Members. To the concurrence motion: While I agree with everything that my seatmate, Senator Righter, said in his analysis of our situation, I reluctantly rise in support of the gentleman's motion. I mean, the chaos is continuing here in the State Capitol. It's chaos over economic development, because you folks don't know what you want to do with the Chicago Mercantile Exchange or Sears Roebuck. But, in this situation, this chaos involves education, another major part of why people want to live in Illinois. You know, there's no choice here. And, you know, in my case, in DuPage County, we are paying our regional superintendent with county funds. So, the taxpayers of DuPage County, mainly through real estate taxes, are paying through a local source the regional

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superintendent of schools, whom I'd admire, in our particular case. But the chaos has got to end here. And I think if there's a lesson for the future, it is, if Governor Quinn, by fiat, wants to make a major policy change, like abolishing the regional offices of education, he needs to talk to the General Assembly before we go home in the summer, and just by the waving of a magic wand creates chaos in the field of education. So, I don't care if it's chaos in our economic development in this State, which we obviously have - we have no stability there; I want to at least end this instability with respect to education. And this is no way to run a railroad. But there's a commission here, and whatever we decide with the regional offices of education in the future, we decide. But Governor Quinn has put us in a terrible position here. He's put my friend, Senator Sullivan, in a terrible position. But this is -- this is something we have no choice in right now, and I would urge an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Lightford, for what purpose do you seek recognition?

SENATOR LIGHTFORD:

Thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the motion, Senator Lightford.

SENATOR LIGHTFORD:

Mr. President, Ladies and Gentlemen of the Senate, if I may put just a little bit of background on this whole issue of ROEs. This isn't the first time that this administration has questioned whether or not the ROEs should still exist. This

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came up in the previous administration. We have been taunting this idea around the Education Committee for at least the last five years that I can make a recollection to. The realness of the problem is that there was a commission already established to look at whether or not ROEs should continue to exist. They had findings and recommend -- recommendations that they submitted to the Governor and to this full Body. Each one of us received findings in October of 2010. Last night, in our Education Committee meeting, we found that not much had transpired from those recommendations from October of last year. Well, we all know, when February came around in this year, 2011, the Governor did not include the ROEs in his budget plan. So there was already the idea of not wanting to fund the ROEs, but not based on the actual recommendations and findings going forth. I heard something totally different from what Senator Righter heard last night. I heard those ROEs say, "We deserve to be paid, no matter where the money came from." They didn't make a -- a difference in whether or not it came from this fund or that fund. What I heard is that, "We have been working since July 1st without any pay. And this is our only job, our full-time job. Statute says that we can work no other job." That's what I heard last night. I also want to add to that, when we had our regular budget back in May, when they were in the GRF, you voted No, Righter. Your whole party voted No. So, you voted against the salaries of the ROE back in the spring Session. So, if we want to bring up where the money should come from, let's be in fairness and lay it all out on the line. The issue is, going forward - going forward. We should not be put in a Catch-22 anymore as legislators to make the decision



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whether or not people should get paid for the work that they do. I recommended last night, and other members on the committee, that instead of these findings being due August 1st that perhaps they're due April 1st or March 1st so that we can vet out the recommendations as a collective Body and we can look at the budget and have time to figure out whether or not we can fund the ROEs. Unfortunately for us in the Proviso Township area in Cook County, our ROE was already disbolished {sic}, just already taken away. I felt then, if you're going to move one, move 'em all. Move 'em all. If it's not good for one part of the State, it isn't good for any part. So I was a dead set No on this vote until I heard the debate last night. Until I heard the debate that says, if I get up everyday and I work, and I work to open our schools on time, I work to make sure that the bus drivers are certified, I work to make sure that the teachers are trained and ready to go, I want to be paid. That's what I heard from the ROEs last night. It's only in fairness. We are caught again in a Catch-22, but a Yes vote on this bill is actually doing the right thing. Don't do the wrong thing by voting No because you're upset where the money's coming from or you didn't make that decision. I don't want my municipalities to be affected either, but right is right and wrong is wrong. And when you do a job, you deserve to be compensated for that work. For that reason, I'm voting Aye.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Holmes, for what purpose do you seek recognition?

SENATOR HOLMES:

Thank you, Mr. President. To the bill, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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To the bill, Senator Holmes.

SENATOR HOLMES:

As -- as my -- my friend Senator Haine would say, "This is definitely a conundrum." And I think you've heard the arguments, and -- and there's some passionate arguments. But we need to get down to what the real issue is here. The issue here is not whether our regional offices of superintendents should be paid. Obviously, they should be paid. We all know that. We have an obligation to pay them. They were elected to a position. They were told that they would be receiving a salary for that position. They've been doing that job. They absolutely deserve to be paid. However, because our Governor decided to arbitrarily not fund them because he doesn't think that office is worthwhile, that's where the real fault lies. It doesn't lie, though, with our local governments. Our local governments weren't obligated to make this payment. And had our local governments been given that choice, they would have been able to plan for that. They would have been able to set aside the money to make sure they could make those payments. Instead, we're saying we have behaved irresponsibly and we're going to try to foist that expense off on our local governments. I don't think that's appropriate. I think what we're doing here is setting a very bad precedent and it's just bad policy to expect somebody to pick up an expense because we're doing what is actually wrong. So for that reason, I'm going to vote against this bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Luechtefeld -- Luechtefeld, what purpose do you seek recognition?

SENATOR LUECHTEFELD:

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Thank you, Mr. President. To the bill: You know, I -- we've all watched a lot of debate over the years on different issues, and -- and in -- most of the time, you -- you know ahead of time that most everyone has their mind made up and this is the way it's going to go, no matter what is said on the Floor. I have talked to a lot of you on this issue in trying to get some idea about a roll call. And -- and I -- I do believe that this particular issue has a number of people who really believe that these people need to be paid and that this probably is our last shot at that. We can put the blame on the Governor or wherever we want to put it, but the fact remains they're still not getting paid and likely will not get paid unless we -- unless we pass this bill. You know, I -- I can remember sitting in the Chamber when the Governor made his budget address, and all of a sudden he said, if you'll remember, he was going to cut money out of the budget for the regional superintendents of schools. And -- and I looked at my House person, who was sitting by me, and I said, "You know, I have a feeling I know where that came from." The night before the budget address, he was sitting around with some of his staff and he said, "Is there any way or any cuts I can make that might show that I am serious about making cuts?" And some staffer said, "Why don't you cut the regional superintendent of schools? We -- we've talked about that before." "Good idea. Let's put it in the budget." And -- and that's about the only thought -- the only thought that was made about this particular issue. You know, if you're going to do these sorts of things, I would think you'd have a plan of who will handle what the regional superintendents of schools do. You just don't cut out their salary and then hope

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something happens. Now, we -- it was good to hear today from Senator Sullivan that it appears there will be more money in that local fund than -- than normally is, or that there was last year. You know, I understand where the local governments are coming from. They look at this as -- as a -- as a bad precedent that they don't want to continue. But, you know, we -- we -- we put this -- or this has been put by Senator Sullivan into a one-year program, a program that we need to get done. And many of you have said -- many of you said they need to be paid, but this is not the way to do it. Well, we're -- we're going to do the right thing, I think, for one year. And then many of you people who say this is wrong, then let's straighten it out. Let's get that done next year, whatever -- whatever direction we go. But for goodness sakes, hopefully there are enough votes in this Chamber, both Republican and Democrat, that we can get this done, because we all seem to feel that they should be paid. And I -- and I'm going to tell you, likely they won't be unless this bill passes today. So, hopefully, but for those people who are sort of on the fence, we can get this done and get on with something else. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jacobs, for what purpose you seek recognition?

SENATOR JACOBS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Jacobs.

SENATOR JACOBS:

I want to thank the regional office of education. I think the State of Illinois owes you a heck of an apology. And

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sometimes you don't know where to go to get your apology, so I'm going to make it for you. But I don't think I'm the right person to make it. I think that the Governor would do himself well that if you're going to make a strong executive decision, if you're going to tell people they're no longer working, then you need to tell 'em that's what it is and be done with it. I don't think there's many legislators in this Body who would have worked without pay for seven months. I'm not saying we don't love our jobs, we do, but I can guarantee you, we have put these people in a very bad position. I don't care where the money comes from. I'll even help chip in if I've got to, but I'm looking forward to seeing the ROEs back on the job, and then we can look in the future if we want 'em or not. I appreciate a affirmative vote.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Schmidt, for what purpose do you seek recognition?

SENATOR SCHMIDT:

To the bill: And -- and I really wasn't going to get up and talk this -- this afternoon because I -- I am on the Education Committee and we did discuss this last night. And, you know, and I'm listening to everybody, and I tell you, I love my ROE. Roycealee Wood is great in Lake County. Okay? But I have to tell you, as a local government person, and that's what I am, I have talked to the counties, the municipalities, the park districts, the libraries. And their -- their big concern is, yes, this is for one year, but what is next? And they're not very comfortable right now. And to tell you the truth, it may not sound like a lot of money to some of you, but I will tell you, in Lake County, it's hundreds of thousands of dollars.

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It'd be cheaper for us just to pay our ROE, which might be happening in Lake County, to tell you the truth. Sixty-five thousand dollars from Lake County is two jobs. I don't know about the rest of you, but at the county level - and I'm only going to speak to the county level - we have not given a raise for three years. I told the employees there, when I was still there, and we've been telling them, "You're lucky you're driving to work." So we understand the amount of money that it's going to take from not just Lake County, but all of the governments in Lake County, and -- and it is a huge impact. I don't -- I don't like this anymore than anybody else does, but the concern is - and John and I have talked about it -- you know, I'm worried about probation. Is that going to be next? 'Cause the State's not paying for probation that they owe to the counties. So, I understand the concern. I'm looking at all the ROEs up there. They know where I'm coming from. But I can't in good conscience - I don't want to say steal - take, I don't know, the money from the locals to pay for -- yeah, how about "borrow"? Are we going to pay 'em back? How about putting that in the bill? Are we going to pay back all these bodies of government for the millions of dollars that we're going to take from them? I don't know about your county, but my county, my municipalities, are struggling. They're cutting people. They're cutting services. Three or four thousand dollars for a municipality may not sound like much to some people, but that might be some snowplowing that I know we're going to need pretty soon. So, like I said, I wasn't going to stand up. I talked about this last night. But I am -- I cannot support this in good conscience, because it is taking money from other bodies of government and it is their

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money. It is not our money. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Garrett, for what purpose do you seek recognition?

SENATOR GARRETT:

Yeah, thank you, Mr. President. To the motion.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the motion, Senator Garrett.

SENATOR GARRETT:

So, like some of my other colleagues, I was also going to -  
- going to vote No on this bill last night. And in the  
Education Committee, we had a robust debate and we learned quite  
a bit. We are in this untenable situation as lawmakers. We've  
been forced into it and our backs are up against the wall. But  
we have nowhere to turn. At this moment in time, we have to be  
the ones -- the responsible party here, the responsible  
lawmakers who step in, put our thumb in the dike, make sure that  
the ROEs get paid, repair what has happened in the past, make  
sure that moving forward next year we have a resolution. But we  
can't blame the different parties that got us here and walk away  
from that tonight. We have to make sure that we, in good faith,  
respond to this and - as I said before, the responsible party  
here - and make sure that their -- their salaries are paid. To  
do anything else is unconscionable, because they're -- the ROEs  
who are in the gallery have nowhere to go. There's nowhere else  
where they're going to get their money. I feel bad for the  
local units of government. They don't deserve to be in this  
position either. But, again, I want to reinforce that this is  
our duty and our responsibility to make it right.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Senator Sullivan, to close.

SENATOR SULLIVAN:

Thank you, Mr. President. Thank you, Members of the Senate. We've had a -- we've had a long, lengthy discussion. They did over in the House, both in committee and on the Floor. We had it on the -- in the Education Committee last night. I think it was very informative, brought a lot of issues to light. We talked about it in the Appropriation Committee this morning, which there's a companion bill to actually authorize the spending of the money. That's going to be following this piece of legislation. And we've had a good debate here on the Floor. I -- and I -- and I -- and I -- I -- I respect the opinion of every Member that got up to speak on this legislation or who has spoken to me privately. It -- it is a difficult situation. It is a situation that we did not create, but it is, in my opinion, the right thing to do. These individuals have been elected to do a position -- to do a job. They were created by statute. They have not been -- they've been working without pay since July the 1st. This is the only option that is on the table at the present time and I ask for your favorable roll.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall the Senate concur in House Amendments 5, 7 and 9. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 voting Yea, 16 voting Nay, 1 voting Present. Senate Bill 2147, having received the required constitutional majority, the Senate does concur in House Amendments 5, 7 and 9 to Senate Bill 2147, and the bill is



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declared passed. Senator Noland, for what purpose do you seek recognition?

SENATOR NOLAND:

Thank you, Mr. President. A point of personal privilege, if I may.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR NOLAND:

Thank you. With me today, I have two students from Jacobs High School, from our School District 300 in Carpentersville in my district. One is a freshman. Her name is Riley Bernardi. She is -- wants -- she is an aspiring music teacher. She plays the flute and piccolo, and she also speaks Mandarin Chinese. Also, too, with me, I have Bridget Burley, who is a sophomore, especially -- or, studying, especially, language arts and Spanish, and she wants to be a foreign language student -- or, a foreign language teacher. And I would like to note, if I may, that between the two of them, both speaking Spanish and then Mandarin Chinese, that unlike any two of us in this Chamber, these two students could speak to virtually eighty percent of the world's population. And I believe that their acquired skills thus far bespeaks to the importance that voting on education has for this Chamber and for the people of the State of Illinois. So I'm going to ask you, if you would, to provide both Riley and Bridget a very warm Senate welcome, if you would, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Welcome to Springfield. Good luck to you in the future in your endeavors. Chris Brooks, with WICS-TV, requests permission

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to video. Seeing no objection, permission is granted. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

Purpose of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your announcement.

SENATOR MURPHY:

I just ask that the record reflect that Senator Althoff is not here today due to a death in the family.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Record will so reflect. Moving on to Senate Bill 2458. Senator Sullivan. We're now on the Supplemental Calendar. Again, on Concurrence -- Concurrence, Senate Bills. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 2458.

Filed by Senator Sullivan.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Sullivan, to explain.

SENATOR SULLIVAN:

Thank you, Mr. -- or, Mr. -- Mr. President. We just had the debate and the discussion about the regional offices of education. This is simply the appropriation bill to authorize the spending of the money - 10.8 for the salaries, 2.2 million for the line item. It also has some language in here with regard to an appropriation authority for the Chairman of the Local Panel under the -- Labor Relations Board and the State Lottery. Ask for your favorable roll call.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 2458. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 36 voting Yea, 16 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does concur in House Amendments 1, 2 and 3 on Senate Bill 2458, and the bill is declared passed. Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HAINE:

Mr. President, I want the Chamber, especially those on this side of the aisle, to note the old axiom that when beauty and intelligence are combined, everything works for the good. And I don't know who said that. It just makes a lot of sense. I'm losing a legislative assistant, Cameron Joost, to Senator Durbin. And she's been one of the best staffers ever to serve in the State Senate. I'm high maintenance, as everyone knows, and I'm disorganized, scatterbrained, and whatever it is. I just want to say that the staff makes this system work. They -- they see to it that the business is conducted on time, that the citizens are served. And I just want to be here today to call the attention of the Body to Cameron Joost and thank her for her service.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Good luck, Cameron. Good luck to you in the future. Thank you for your service. Senator Dillard, for what purpose do you seek recognition?

SENATOR DILLARD:

Thank you, Mr. President and Members. On a similar point of personal privilege. On our side of the aisle today, we are losing, although we're going to only lose him for about one floor in the Capitol Building, Mark Warnsing - has been a staple, a lawyer, counsel to a previous Governor, but counsel to us on the Senate Republican side, especially on criminal law matters. And, I think yesterday, we -- we gave him a little send off in the Senate Criminal Law Committee. But Mark has also been a counsel to you all on your side of the aisle. I've been around. I've been a member of the staff and I think among the other staff of both sides of the aisle, Mr. Warnsing is one of the most respected staff members there are. I know you are going to lose Jim Dodge. And Jim Dodge and Mark Warnsing work very closely together. In fact, we, as Members, probably ought to take a few clues at how well our staffs work together and how they cooperate. But we will miss Mark. Mark is going to go down to the Legislative Reference Bureau, where he will, once again, in a different capacity, make the Members of both sides of the aisle look good, correct our mistakes and keep us from making mistakes, and also make sure that we do our job in a constitutional fashion. But one of the best staff members I've ever seen in this building, a very fine gentleman, a great fan of the University of Illinois athletic department. Let's give a big thank you to Mark Warnsing, who is right here behind me.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Good luck to you, Mark. Good luck. Thank you for your service. Senator Bivins, for what purpose do you seek recognition?

SENATOR BIVINS:

Thank you, Mr. President. I would like to be recorded as a Yes vote on our -- our last bill, 2458.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Let the -- record so reflect. Senator Noland, for the second time, for what purpose do you seek recognition?

SENATOR NOLAND:

Thank you, Mr. President. You know, on our side, we -- in addition to Mark Warnsing on the Republican side, we have had Jim Dodge, who has done yeoman's work on the Criminal Law Committee and on the Judiciary Committee once upon a time. Jim is one of those rare individuals that I think all of us can look to throughout our careers and say he had amassed such institutional knowledge and had been able to inform us on such a ready basis on so many levels, related not only to the law, but to more contemporary social, moral issues, and give us a big picture of where we stand in the universe here with respect to our caucus and as individuals with respect to how we have to look at the world. Jim, there's a saying on the committee, "Dodge knows all". And we -- he is going to be sorely missed in our Criminal Law Committee as he moves. I know that he's not moving very far. We all have his cell phone, those of us on the committee, and we intend to use it. But I just, very quickly, wanted to recognize his service as well, and ask you to give him a big round of applause as he moves on.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Good luck, Jim Dodge. Good luck. Appreciate your service. On the order of page 6 of the Calendar, we will proceed to motions on Senate Bill 72. Senator Link.

SENATOR LINK:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Do -- do you want to proceed with Senate Bill 72?

SENATOR LINK:

I -- I was hoping to say something before we did this on something else, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Okay. Take -- we'll take the bill out of the record.

SENATOR LINK:

I -- that's why I was trying to get your attention.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, for what purpose do you seek recognition?

SENATOR LINK:

Well, we will be losing another staff person that I wanted to mention. And I have been known to run a few gaming bills in this General Assembly and in the Senate. And my phone, which gets emails, messages, texts, everything on it, I probably have a thousand of 'em from this individual, who has basically helped President Cullerton and myself draft this bill and many other bills, and has worked closely with me. Louie Mossos will be leaving us at the end of the month and going on to greener pastures. And I hope they'll be greener pastures for him, but I have to say that I will miss him dearly, and has become a great

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asset to us and our staff, and I think has a great future for himself in -- in time to come. And -- but I think we'll be seeing quite a bit of him in the future and I just want to -- all to wish him the best.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Good luck, Louie. Thanks for your service. Senator Rezin, for what purpose do you seek recognition?

SENATOR REZIN:

Yes, I, too, would like to have the record reflect my Yes vote on Senate Bill 2458.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect, Senator Rezin. Now, page 6. Senate Bill 72. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 4 and 5 to Senate Bill 72.

Filed by Senator Link.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link, to explain the motion.

SENATOR LINK:

I will explain the motion -- the amendments on -- on 3rd Reading.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The amendments are on Concurrence. There's a motion for concurrence. You can proceed to explain. Senator Link.

SENATOR LINK:

First of all, before I start explaining this bill, I just want to thank a few of my colleagues - Senator John Jones, Senator Sue Rezin and Senator Kwame Raoul - who -- this is an

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agreed-upon bill, but it only took a short three months to get to that agreed-upon bill, and took a lot of intense negotiations. But I also want to thank labor and business for coming to the table to make this bill work. And I know at some times we never thought we'd get to this point, but we have an agreed bill that I think Illinois will be proud of and business -- the businesses and labor will be proud of. Senate Bill 72 amends the Unemployment Insurance Act. The bill is the result of the agreed-bill process. The bill does not decrease benefits, but it does reduce unemployment taxes on employers. Over eight years, the business community is projected to save four hundred and four million dollars. The Trust -- Trust Fund -- Trust Fund is projected to be 2.4 billion dollars in debt by the end of 2011. With this bill, the Trust Fund will be solvent by 2018. The bill provides significant reduction in -- in taxes for employers with no history of layoffs, which is nearly -- fifty percent of all Illinois businesses. The bill realizes significant savings for -- by reducing the interest cost of the debt by utilizing existing, but not expanding -- but expanding bonding authority. GRF will not be used to cover the interest payment. There are a number of IDES fiscal integrity provisions and reforms included in this bill as well. There are speed bumps in 2016 and '18, intended to bring business and labor back to negotiations for future changes. Finally, the bill creates a Social Security Retirement Pay Task Force which will -- which is to study whether Social Security benefits should be used to offset unemployment benefits. I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)



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As this bill has an immediate effective date, it is the ruling of the Chair that pursuant to Section 10 of Article IV of the Illinois Constitution, the passage of this measure requires three-fifths majority. Is there any discussion? Senator Steans.

SENATOR STEANS:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the bill, Senator Steans.

SENATOR STEANS:

I very much support the bill, thrilled with the work of the sponsor. Just want to note I am disappointed that we have not yet resolved the issue of the Social Security offset measure. You know, right now, we are one of only -- no more than three states that really are discriminating against our seniors, because when they themselves are still working late, with this economy as it is, they get laid off, their unemployment compensation benefits are reduced by their Social Security. You know, very few states still have this. It's totally discriminatory. I think we need to be very cognizant that we do have a task force here that's going to set up to address this. I understand there's a funding issue on it, but we do need to get to it and I'm thankful, at least, that there's a task force in place to do so.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall the Senate concur in House Amendments 4 and 5 on Senate Bill 72. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

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Take the record. On that question, there are 53 voting Yea, 1 voting Nay, none voting Present. Having received the required constitutional majority, the Senate does hereby concur in House Amendments 4 and 5 to Senate Bill 72, and the bill is declared passed. Senator McCarter, for what purpose do you seek recognition? The Senate will stand at ease for a few minutes to all the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease. Senator Crotty in the Chair. (at ease) Senator Clayborne back in the Chair. The Senate will come to order. We have quite a few action left. Try to get out of here. Hopefully, we'll get this done with you-all's cooperation. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Senate Resolution 446.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, for what purpose do you seek recognition?

SENATOR HAINE:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Please state your point.

SENATOR HAINE:

Mr. President, Ladies and Gentlemen of the Senate, I feel it's my duty to remind this august Chamber that tomorrow is Veterans Day. And I would ask that you all - and I'm sure you

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will - note Veterans Day. Shakespeare, in his famous St. Crispin's speech by Henry V, reminded people of the august moment of every great battle. And St. Crispin's Day, as we remind ourselves, had many occurrences in the history of the United States, most recently in Kabul, Anbar Province, Fallujah, going back to Desert Storm; An Khe, Dak To, Hué, the Chosin Reservoir; Tarawa, Omaha Beach; the battles in World War I; Antietam, all the way back to Concord. They're all St. Crispin's Day. And they all have their story. And as Shakespeare concluded, "This story shall the good man teach his son;" / And "we in it shall be remembered- / We few, we happy few, we band of brothers; / For he to-day that sheds his blood with me / Shall be my brother;"... / "This day shall gentle his condition; / And gentlemen in England now-a-bed / Shall think themselves accurs'd they were not here, / And hold their manhoods cheap whiles any speaks / That fought with us upon St. Crispin's day." Memorial Day is to grieve and remember the dead. Veterans Day is to celebrate valor and courage and love. Ladies and Gentlemen, can we stand for a moment in symbolic toast to veterans and Veterans Day? Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Thank you, Senator Haine. On the -- on page 9 on the Order of the Calendar, Motions in Writing, Override Vetoes. House Bill 3178. Senator John Jones. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 3178 do pass, notwithstanding the veto of the Governor.

Filed by Senator John Jones.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jones, to explain.

SENATOR J. JONES:

Thank you, Mr. President. The Governor did veto this bill, claiming a safety issue. You know, I -- I kind of disagree with him, because these people that came up -- came to -- to us with this bill, you know, they are licensed. And, Kyle, if you want to take pictures, go right ahead. I think there may be a rule against that on the Senate Floor. Sorry about that, Mr. President. Anyway, the -- the Governor vetoed the bill. It is Senator -- or, Representative Hammond's bill in the House. It's a bill that a lot of our hunters in the State of Illinois wanted to -- to see come about. And so I would ask for your support in overriding the Governor's veto.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Haine.

SENATOR HAINE:

A question for the sponsor. Will he yield for a short question?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he'll yield, Senator Haine.

SENATOR HAINE:

I asked this question in the spring. So, Senator, this is a cleanup bill?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Jones.

SENATOR J. JONES:

I guess you could look at it that way, Senator Haine.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Any further discussion? Seeing none, the question is, shall House Bill 3178 pass, notwithstanding the veto of the Governor. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 voting Yea, none voting Nay, none voting Present. House Bill 3178, having received the required three-fifths majority, is declared passed, notwithstanding the veto of the Governor. Keeping on page 9, House Bill 190. Senator Dale Righter. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to accept the specific recommendations of the Governor as to House Bill 190 in manner and form as follows. Filed by Senator Righter.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Righter, to explain.

SENATOR RIGHTER:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. I am moving to accept the Governor's recommendations for specific changes in House Bill 190. This legislation, when it left the General Assembly, allowed for the creation of new charter schools and specifically added a provision that students who are at risk of dropping out would be eligible for admission into the new charter schools that had been created. The Governor's Office went in and defined students dropping out as those who had missed school -- for at least ninety days in grades nine through twelve. We -- those who have advocated for this approach have signed off on this legislation. Think it's an appropriate change, but I'll be

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happy to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill -- I'm sorry. The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 190 in the manner and form set in the motion. All those in favor will say Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 50 voting Yea, none -- 1 voting Nay, none voting Present. The specific recommendations of the Governor as to House Bill 190, having received the required constitutional majority, is declared accepted. Senator Forby, on House Bill 2860. Madam Secretary, read the motion.

SECRETARY ROCK:

I move that House Bill 2860 do pass, notwithstanding the specific recommendations of the Governor.

Filed by Senator Forby.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Forby, to explain.

SENATOR FORBY:

Thank you. House Bill -- 2860 is the motorcycle and bikes at red lights. This bill passed in the House 43 to 12 and the -- in the Senate. The House passed it at 94-21. What this is, is a motorcycle's coming to a intersection at a red light, sometimes they're not heavy enough or the device don't work, and so this gives the rights to a motorcycle to yield the right-of-way when this doesn't do this. This bill passed 43 to 12, which the Governor vetoed it. What he said -- what the Governor was

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interested in -- I got a trailer bill - it's 2528. And the Governor wanted a hundred and twenty seconds. So, there will be a trailer bill after this, 2528, that will take care -- this is the bill, and the other's a trailer bill. Okay? But, anyway, - there's a lot of people in this -- in this building today that's rode motorcycles, they've experienced it, they've come to me, and I told you about it. This -- this is a good bill. And I just wish everybody would vote for this. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator Millner.

SENATOR MILLNER:

Thank you, Mr. President. I just wanted to let the Body know, and Senator Forby know, just beware that there will be police officers, if this passes, from the time the trailer bill then gets in, who might write tickets, because it says "reasonable period of time". What's reasonable? And I know the trailer bill is going to address that. I was kind of hoping we could wait for that trailer bill before we pass it. I'm worried about motorcyclists, seeing this legislation, thinking they waited a reasonable period of time, taking off, and they're getting a ticket. And so, I just want your assurance the trailer bill is coming through and we're going to try to -- legislative intent, say it's two minutes. Is that -- how's that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator -- Senator Forby.

SENATOR FORBY:

Yes, that's what the trailer -- trailer bill does, says a hundred and twenty seconds. And -- and what's good about this

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bill is, winter -- winter's coming on, so there's not going to be too many motorcycles out there. We'll have this trailer bill done before then. My legislative intent is to make sure this is done.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Being no further discussion, the question is, shall House Bill 2860 pass, notwithstanding the specific recommendations of the Governor. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 45 voting Yea, 6 voting Nay, none voting Present. House Bill 2860, having received the required three-fifths constitutional majority, is declared passed, not without -- notwithstanding the specific recommendations of the Governor. We'll be turning the -- turning to page 5 of the Calendar. At the bottom of the page, House Bill 3815. Senator Raoul. Do you wish to proceed? Madam Secretary -- Senator Raoul seeks leave of the Body to return House Bill 3815 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 3815. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

This is Floor Amendment 2? Floor Amendment 2 is a technical amendment to fix drafting errors regarding the Chicago Police and Fire Articles.



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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? All those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there -- Madam Secretary, are there any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3815. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 3815.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3815 is aimed at addressing some of the abuses that were identified by a investigative report -- investigative journalism with regards to both the members of the Teachers' Retirement System -- the -- the union officials, excuse me, taking advantage of the Teachers' Retirement System as a result of working one day and -- and also Chicago union officials taking advantage of the union system. House Bill 3815 -- pension system, that is. House Bill 3815 is a prospective bill which prohibits future public employees from receiving public pension credit for their leave of absence at a labor union. As amended, the downstate police and fire and Chicago

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police and fire are exempted as a -- as a result of them being sworn officers and having to respond, notwithstanding the fact that they may be union officials; they still -- they still remain sworn officers and they would be called upon to respond to fires or to public safety concerns. I urge your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is -- is there any discussion? Senator Duffy.

SENATOR DUFFY:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

...bill, Senator Duffy.

SENATOR DUFFY:

You know, I know this is late and everyone wants to leave, but can we pay attention here for a second about this bill? When we were sitting in the Pension Committee, they introduced two bills: HB 3815, this bill, and HB 3813. Now, in Pension Committee, we all, on at least this side of the aisle, voted against this bill, 3815, because this bill is called pension reform, but it really doesn't have any teeth and it doesn't do much at all. It only addresses new hires. Now, there was also a bill in committee, like I just said, 3813, that I was hoping that we would have here today instead of this bill. 3813 does have some pension reform in it. It addresses not only new hires, but it also addresses the issue of double-dipping and of issues of fraud that we've seen recently in the newspaper. So, we were really hoping that we would have had that bill here today that we could have voted on, 3813, but instead we have this watered-down, so-called pension bill that we're -- have right here. I'm hoping that we will not support this bill in

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hopes that soon we'll also bring to the Floor the other bill that actually has pension reform. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy, for what purpose you seek recognition?

SENATOR MURPHY:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Sponsor indicates he'll yield.

SENATOR MURPHY:

Senator, do you intend to call 3813 in addition to this?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

I'm sorry. Senator Raoul.

SENATOR RAOUL:

You know, the Senator's arguments have persuaded me and I intend -- I intend to call that next.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

What's -- what's the difference between 3815 and 3813, that's coming up next?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

3813 is retroactive and 3815 is prospective. There have been some concerns raised with regards to constitutionality, that an argument may be made that 3813 is -- is an unconstitutional diminishment of pension benefits. We are uncertain as to what the House of Representatives will concur with, and so it is our intent on passing both -- both of the

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bills out.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

So there is somewhat of a constitutional concern with 3813 because it deals with some employees retroactively. Is that correct? And that's why you want to have this as a supplemental option in case there's a constitutional infirmity with (38)13?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

Right.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

Why don't -- if you were willing to put something for current employees in 3813, which you did, to address the high profile issue of a couple of specific lobbyists' pension abuse, why were you not willing to consider ending completely the situation where union employees continue going forward to get pension credit while working outside of the public sector?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

This is language that came from the House sponsor and this is language we used upon -- to work towards a resolution of the issue. As -- as indicated, we have 3813 coming -- coming forth, which is a stronger bill, and -- and we're going to run with -- that as well.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

...bill, Mr. President. And I -- I appreciate the intention there, but I don't know why we need to defer to the House. I mean, I filed a bill, Senate Bill 2499, that would eliminate, immediately upon going into law, the ability for any current nonpublic employee to further access the public pensions. I have no idea who we're protecting, why we're protecting them and continuing to drain already suffering and underfunded pension systems for the rank and file and make this situation worse for taxpayers. Who are we protecting by not ending this practice right now? There is absolutely no reason for people to continue from this day forward to get pension credit for time they are not working for the people. 13 -- or, 3815 is not substantive reform. 3813 is closer, but it -- the fact that you were willing to put in something for current employees in -- 3813 is a tacit recognition of the fact that you can do something with pensions for current employees. In this area in particular, you ought to end the practice for all nongovernment employees to access even a little bit more of the public pension system by working outside for what is, frankly, a cynical insider deal. 3813 is better than 3815. It doesn't fully do the job, however. It's yet another half measure down here being characterized as complete reform.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard, for what purpose you seek recognition?

SENATOR DILLARD:

A parliamentary inquiry, Mr. President.

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

You may proceed with your parliamentary inquiry.

SENATOR DILLARD:

I have in my hands today's Calendar. And we are on the Order of House Bills 3rd Reading, regular Calendar. And normally the procedure around here, Mr. President, is you take the bills in chronological order. So I guess I'm inquiring why didn't we do 3813 before we did 3815 on the order of the Calendar.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That's how -- that's how we chose to proceed, Senator Dillard. With -- yes. You may proceed. Yes -- yes, Senator Dillard.

SENATOR DILLARD:

I'd like to make a request of the sponsor that he take 3815 out of the record. He's the sponsor of 3813, and I'd request that he would call 3813 first.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul.

SENATOR RAOUL:

Since leave has been given by the Body for me to proceed with 3815 - the entire Body - for me to proceed with 3815 first, I shall -- I shall give good regard to the leave given by the entire Body and proceed with 3815.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard. No? Finished? Senator Lauzen, for what purpose you seek recognition?

SENATOR LAUZEN:

Thank -- thank you very much, Mr. President. A question, I

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guess, of the Chair, just parliamentarian. And this might have been covered. I apologize if I missed it. Do I understand correctly, because of the effective date, that there's a requirement for thirty-six votes?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

That is correct.

SENATOR LAUZEN:

Okay. Then I would just like to follow-up after the vote is taken, at the appropriate time I would ask for a verification of the vote once it's taken, please.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any further discussion? You want to close, Senator Raoul? Okay. Senator -- the question is, shall House Bill 3815 pass. All those in favor will vote... I'm sorry, Senator Brady, that was kind of late, but I will... Senator Brady, for what purpose you seek recognition?

SENATOR BRADY:

Inquiry of the President. Senator Raoul has indicated that he wishes to call 3813 immediately following this. Is it your intention to give him the right to do that?

PRESIDING OFFICER: (SENATOR CLAYBORNE)

With leave of the Body, we will proceed to that order, Senator Brady. The question is, shall House Bill 3815 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. There are 37 voting Yea, 11 voting Nay, 4 voting Present. House Bill 3815, having received the required constitutional majority, is declared passed. Senator Lauzen has requested a verification. Will all

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Members be in their seats? The Secretary will read the affirmative votes.

SECRETARY ROCK:

The following Members have voted in the affirmative: Brady, Clayborne, Crotty, Forby, Frerichs, Haine, Harmon, Holmes, Hunter, Hutchinson, Tom Johnson, Emil Jones, Koehler, Kotowski, LaHood, Landek, Lightford, Link, Maloney, Martinez, McCann, Millner, Mulroe, Muñoz, Noland, Pankau, Radogno, Raoul, Rezin, Sandoval, Schoenberg, Silverstein, Steans, Sullivan, Trotter, Wilhelmi and Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Does Senator Lauzen question the presence of any Member voting in the affirmative? Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Having received the required constitutional majority, House Bill 3815 is declared passed. With leave of the Body, we will proceed to House Bill 3813. Senator Raoul. Madam Secretary, please -- Senator Raoul seeks leave of the Body to return House Bill -- 3813 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is House Bill 3813. Madam Secretary, are there any Floor amendments approved for consideration?

SECRETARY ROCK:

Floor Amendment 2, offered by Senator Raoul.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

The Floor amendment adds the CPI to the -- the salary level



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that the employee would have entered -- would have had when they entered the position as a union official and also has the same technical changes with regards to police and fire that the previous Floor amendment on the previous bill had.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is -- is there any discussion? All those in favor will say -- say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration, Madam Secretary?

SECRETARY ROCK:

No further -- no further amendments reported.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Now on the Order of 3rd Reading, Madam Secretary, please read House Bill 3813.

SECRETARY ROCK:

House Bill 3813.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Raoul, to explain.

SENATOR RAOUL:

Thank you. Similar to the prior bill, House Bill 3813 seeks to address certain abuses by union officials taking advantage of the pension systems. It does so in the following manners -- manner: First, future public employees and -- and current -- public -- public employees who have not applied for a leave of absence will not be able to receive public pension credit for their leave of absence at a labor union. This applies for participants of Chicago Municipal and Labor {sic}

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(Laborers) Funds, State University Retirement Systems and Chicago and Downstate Teacher Funds. Current public employees who have taken a leave of absence from Chicago Municipal and Laborers Funds will have their annually based -- will have their annually {sic} (annuity) based on their municipal salary plus the average of CPI. It will prohibit members of Chicago Municipal and Laborer {sic} Funds from earning service credit toward a pension with the Chicago Pension -- Municipal Pension Fund and Chicago Laborers Pension Fund if they are earning credit towards a pension plan established by the local, national or international labor organization. It includes fraud provisions requiring any reasonable suspicion of fraud to be reported to that pension system's board of trustees. If a person, as a fiduciary of the system under the Pension Code, fails to report such a suspicion, the person is personally liable to make up for the loss to the pension system. It repeals provisions of Public Act 94-1111, which allowed two IFT employees to establish service credit in the Teachers' Retirement System. With regards to the question of the constitutionality that has been talked about in the prior bill, there is a provision in our Constitution that deals with the inability to reduce public pension benefits. However, there is also a provision in our Constitution that prevents public funds from being used for something that's not in the public good. And based on that provision, it is our belief that this would be a constitutional bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 3813 pass. All those in favor, vote Aye.

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Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 50 voting Yea, none voting Nay, 1 voting Present. House Bill 3813, having received the required constitutional majority, is declared passed. Supplemental Calendar No. 1 has been distributed. Like to go to top of page 1 of Supplemental -- of the Supplemental Calendar. House Bills 2nd Reading. Senator -- Senator Schmidt, to proceed. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 508.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. House Bill -- I'm -- I'm sorry, House Bill 588. Senator Harmon. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 588.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

3rd Reading. Proceed to -- on the Supplemental, Order of Concurrences. Senate Bill 1750. Senator Frerichs. Madam Secretary, read the motion.

SECRETARY ROCK:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1750.

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Filed by Senator Frerichs.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Frerichs, to explain his motion.

SENATOR FRERICHS:

Thank you very much, Mr. President. This bill addresses some issues that were created with public universities in the State of Illinois with Senate Bill 51, procurement reform. What these amendments do is they make changes to the Procurement Code to address unique challenges facing Illinois' universities regarding research, academic, artistic, and athletic procurements. It provides that the Chief Procurement Officer for higher education may waive, in certain limited circumstances, provisions of the Code in order to assist with the procurement of specialized items, including -- programming and broadcast license rights for university-operated radio and television stations, and purchases related to grants. It provides for narrow procurement exemptions in instances such as required purchases related to athletic events or memberships, artistic or musical services, performances or productions are -- held at a venue operated by a university, purchases of periodicals and books. It provides transparency that the Chief Procurement Officer has to put a list - I believe, it's monthly - of the -- or, annually of the -- of the waivers. And it has a sunset date of December 31st, 2014, for the General Assembly to review at that point. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1750. All those in favor will vote Aye. Opposed, Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 53 voting Yea, none voting Nay, none voting Present. Having received the required constitutional majority, the Senate does hereby concur in House Amendments 1 and 2 to Senate Bill 1750, and the bill is declared passed. We will proceed to Supplemental Calendar 2, top of the page. Senate Resolution 446. This will require a vote, because it requires an expenditure. Senator Radogno. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Resolution 446, offered by Senator Radogno.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Radogno, to explain.

SENATOR RADOGNO:

Thank you, Mr. President. A few minutes ago, we voted on the agreed-bill process product that continues the unemployment insurance program in the State. And while there wasn't a lot of comment on it here on the Floor, it's a very difficult subject and we had a lot of spirited discussion about it in our caucus. It's a complicated issue. It's another area similar to workers' comp reform that probably requires some comprehensive reforms. And so this resolution creates an ongoing study committee that will consist of representatives from the business community and labor, as well as Members of the General Assembly. So during the time before we address this again, and it's not suggesting we take it up before the agreed-to period of time, but there is a forum and a structure where we can continue the discussion so that when the time comes to address this issue again, we are in the best possible position to do so. So I would ask for your

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support on this resolution. Thank you. And I appreciate the Senate President supporting the -- going forward with the resolution. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Senator McCarter.

SENATOR McCARTER:

To the resolution: I apologize for not bringing this up when Senate Bill 72 was up, but I -- I do appreciate this commitment to an ongoing discussion, because I think there's a number of major reforms that we should address sooner than the agreed five-year time period. There are issues concerning minimum earnings eligibility, severance...

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator McCarter, is this -- is this to the resolution? Okay. Proceed, Senator McCarter.

SENATOR McCARTER:

There are common-sense major reforms, which we -- we can -- we can put in place immediately, which will help bring solvency to this system. And -- and -- and I just think it's -- there's no reason for us to say no today to things that we can -- simple things that we can do tomorrow to help make this system better, like the minimum earnings eligibility, like including severance pay as income, a work search program, tightening that up, and -- and talking about who the last chargeable employing unit is. So, I'm just -- again, thank you for making this a priority. We need to look at these things and we -- we shouldn't wait five years to put these things in place. They're right for small business today and we need to take a look at it. We -- we can't keep putting burden on small businesses and expect them to be

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hiring people and putting our families back to work. Thank you for doing this.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall Senate Resolution 446 pass. All those in favor will say -- will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 53 voting Yea, none voting Nay, none voting Present. Senate -- Senate Resolution 446, having received the required constitutional majority, is declared passed. We'll proceed to -- with leave of the Body, proceed to the order on page 4 of the regular Calendar, House Bill 384. Senator Hutchinson. Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 384.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Hutchinson, to explain.

SENATOR HUTCHINSON:

Thank you, Mr. President and Members of the Senate. House Bill 384 is identical to Senate {sic} Bill 1224, which passed the Senate 55-0 -- to 1. House Bill 384 is a bill regarding the repayment of delinquent funds. The bill applies to persons that are entitled to a warrant or payment of funds held by the State Treasurer. House Bill 384 states that if that person has any outstanding accounts due and payable in favor of the State, the funds that the individual has outstanding that are due and payable in favor of the State will be -- will be deducted from

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the money that the State has outstanding that is due and payable to that person. House Bill 384 authorizes the State Comptroller to enter into intergovernmental agreements with any unit of local government, school district, or public institution of higher education to provide for use of the Comptroller's offset system to collect delinquent obligations owed to those entities. Thank you very much for listening and I would enjoy your support.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 384 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 voting Yea, none voting Nay, none voting Present. House Bill 384, having received the required constitutional majority, is declared passed. Senator Kotowski, for what purpose do you seek recognition?

SENATOR KOTOWSKI:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Kotowski, please state your point.

SENATOR KOTOWSKI:

I would just like to clarify that my intent was to vote No on House Bill 2860.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The record will so reflect, Senator Kotowski. We're going to skip down - same page, page 4 - to House Bill 606. Senator Rezin. Madam Secretary, read the bill.



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SECRETARY ROCK:

House Bill 606.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Rezin, to explain.

SENATOR REZIN:

Thank you, Mr. President. House Bill 606 is a simple piece of legislation that allows two non-contiguous schools to combine. We have a school district in our -- in our area, Leepertown, who has an enrollment of forty-nine students, has chosen to dissolve, and at their request, will be combining with Ladd School District, which has an enrollment of a hundred and eighty-nine students. It's a straightforward piece of legislation that really has been initiated by the schools. This is a mutually agreed-upon decision by both school districts to combine. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Is there any discussion? Seeing none, the question is, shall House Bill 606 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 51 voting Yea, none voting Nay, none voting Present. House Bill 606, having received the required constitutional majority, is declared passed. Senator Muñoz, for what purpose do you see recognition?

SENATOR MUÑOZ:

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

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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Please state your point.

SENATOR MUÑOZ:

Ladies and Gentlemen of the Senate, for those of you who don't know, today's the Marine Corps birthday. I'm not a Marine. I am a veteran, but our Sergeant-At-Arms is a Marine who served in Iraq, and my son is a United States Marine as well. So, just wanted to say happy birthday to the Marine Corps, and good job, Joe.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Congratulations, Joe. Thanks for all your hard work. We are going to proceed to a death resolution, so we request everybody's attention. Staff to the rear of the Chamber. Senator Murphy, for what purpose do you seek recognition?

SENATOR MURPHY:

I move to suspend the rules for immediate adoption of the resolution, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The -- the Chair recognizes Senator Murphy for a purpose of moving to suspend the rules. Senator Murphy moves to suspend the rules to allow the immediate consideration of Senate Resolution 450. All those in favor will say Aye. Opposed, Nay. The Ayes have it, and all notice and posting requirements have been waived. On the Order -- on the -- on the Order of Resolution is Senate Resolution 450. Mr. Secretary, please read the resolution.

ACTING SECRETARY KAISER:

Senate Resolution 450, offered by Senator Murphy and all Members.

(Secretary reads SR No. 450)

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PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Murphy.

SENATOR MURPHY:

Thank you, Mr. President. I appreciate the resolution. Wendell was my -- was my predecessor here and he was, as that indicated, really a fun-loving guy. And it's interesting to look around here right now and see how many people are here now that weren't there when he was here and don't know, but for those of you who knew him, you know, I can see the smiles on your face thinking about him. And his daughter, at his -- at his wake up here, pointed out how he used to always say, "If I were any happier, I'd be delirious." And he went through his life that way. He was a positive, upbeat person. He knew what he believed in down here. I'll never forget, after I got elected, he said it -- it helps when you get down here to have a philosophy, to understand what you believe in when you're making these decisions. And it was true. And he was -- he believed in what he believed in, and he was unapologetic about that. But he was, I think, a happy warrior. And I think he did this job with a spirit that, I think, you know, was warm and I think he was appreciated on both sides of the aisle. I know when he was bringing me around when I was first down here, Wendell wasn't real tall, and so we're walking around and he's reminding everybody, as he's introducing me, that he was actually my height when he started and the process just kind of beat him down. But it was -- it was a nice gesture on his part to take the time to bring me around and say, "Hey I know this guy's okay." Whether or not you guys still agree is -- is -- is up to debate. I -- I went and visited him down at their house in

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Florida, and he had -- they're showing me around their beautiful home and it was a nice visit, and his wife, Jane, who is a wonderful lady, she says, "You got to come and see the den." She said, "I refer to this as the 'Everybody Loves Wendell' room." And it's got all the memorabilia from the career you just -- heard about and you could see the pride that he had in the time he spent here doing this. He loved his retirement. It's funny how few Senators I come -- former Senators I come across who regret having left. That's a little unnerving. But he didn't regret it at all. But you could tell he was proud of the time he spent here. Loved the fact that, you know, he spent some of his life doing this work. And he was just a really good guy, a good mentor and a friend. And I know the Palatine community's going to miss him. And I appreciate his former home here in the Senate remembering him, too.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator John Jones, for what purpose you seek recognition?

SENATOR J. JONES:

To the resolution.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

To the resolution, Senator Jones.

SENATOR J. JONES:

Thank you, Mr. President. You know, I don't usually get up and speak on these things, but I'll tell you what, when you -- when you met Wendell Jones, you know, you immediately fall in love with the guy, because he was just a class person, always funny to be around. And I -- I remember -- all of you are aware that the Farm Bureau has adopted legislators, especially for the folks that live up north. And, in fact, Kwame's the adopted

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legislator by my home county. And Marion County, one of my -- my counties in my district, adopted Wendell Jones and they -- they called me and said, "Hey, we've adopted Wendell Jones. What can we expect?" I said, "You know what, you can expect almost anything, but you can expect one thing for sure, that he and Jane will entertain you, especially Wendell, when they -- when they come to Marion County." And so he and Jane came down and spent a couple days. And, you know, they rode in combines, they went out to -- to pig farms, and -- and all those things that the adopted legislators do. And then we had a steak cookout at Ed Gerstenecker's farm in Patoka, and we cooked steaks in a machine shed. But that machine shed also was full of horseradish, because Ed's a big horseradish farmer in -- in Marion County. But, you know, Wendell and -- and Jane were just great people to be around. They -- and, you know, I consider 'em very dear friends, and I remember, as you may well remember a few years ago, and I don't even remember what year it was, but a few years ago, Kentucky Derby was getting ready to run and there was a horse in that race called "Smarty Jones", and so Wendell made hats up for all of us, including former President Jones, hats that had "Smarty Jones" on it, and gave it to all of us that happened to have the last name of "Jones". So, Wendell, we miss you, and, Jane, we want to wish you the very best. But we -- we know God's taking care of both of you. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Haine, for what purpose you seek recognition?

SENATOR HAINE:

To the resolution, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

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To the resolution.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, Senator Wendell Jones was Minority Spokesperson on the Local Government Committee when I came in 2003. Because I was sworn in early, 2002, I was Chair of that Committee. And that Committee had great lights on it, not including me, who was very green, but we had -- the President of the United States was on it, at that time, Senator Barack Obama; County Executive Larry Walsh; and Martin Sandoval was my Vice-Chair. We had a great committee. And Wendell Jones, as Minority Spokesperson, at every opportunity took the occasion to be a participant in crafting responsible legislation. And he had courage, as well as wit, as Senator Murphy said. We had -- our -- the first major controversial bill concerned the efforts of the President -- or, the DuPage County President of the -- of the Board to divvy up the water money however -- that the cities had accumulated for use of the county. It involved millions of dollars. It was a major contentious battle, and it involved the former President of the Senate, who was calling members of the committee, such as me and -- and -- and -- and others. Wendell informed me when I told him the former President was calling, he said, "Forget him. He's history." And I was struck by that. "It's our decision, what we decide", and we did decide that. He -- he -- on the Floor of the Senate that spring, when the Minority Leader, in an unforgettable moment, threw the budget in the air and it floated down, Senator Jones got up to ask a question about a provision he noticed as it was floating down past his eyes. He was truly civil to all he met - Members of

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the Senate, the Governor at -- at -- at that time, citizens. He cared about Palatine. He cared about what he did. He is one reason why politics is the art of government. And in a democracy in a republic, those who hold high office, if they remain men of integrity, men and women of integrity and diligence, the system will work. And Wendell Jones made it work. Godspeed to him, and may God bless his lovely wife, Jane. We certainly feel his loss. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Members. A long, long, long time ago, I got to meet Wendell Jones, when I was a member of our staff. I staffed the Education Committee before I went to law school and there was a Senator named David Regner, who was a -- a very conservative, very good leader on the Appropriations Committee. And I remember we had bills dealing with special education and Dave goes, "Wow! We need to find a conservative special educator." And I go, "Wow, where do we find a -- a conservative philosophy, you know, educator, especially in special education?" And we found Wendell. And he was right out of central casting. I still remember him sitting at the witness table in -- in Room 212 - in those days, polyester suits were in vogue. His lapels were probably that wide. But he was an articulate spokesman for conservative principles, but yet was just tremendously compassionate for school children and for the developmentally disabled. I also never viewed Wendell - and this is a compliment to Wendell - I never viewed Wendell as a politician. I always thought him -- of him as a special

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educator, as a teacher and as a businessman. And when he was here amongst us, he -- he was not a -- a -- he was a staunch Republican, but he wasn't a politician. He was just a regular person who, throughout his career, whether it was being a special educator or a businessman, picked his time. He picked his time to retire. A very special person. And -- and Senator Murphy, I'm -- I'm a big historian of -- of this Chamber and I always think it's interesting. I mentioned Dave Regner - he sat there - from your district, Matt. He was followed by Don Totten, who was Ronald Reagan's person when Reagan was at his heyday in the Presidency, followed by United States Senator Peter Fitzgerald, and then on to Wendell and then on to Matt. And there have been, in my lifetime in this Chamber, five very articulate, very different kind of Senators, but Wendell fit in with that group that is elected - if you know at least Republican politics - from Senator Murphy's area very well. One of the things that I think is most impressive, when I was looking at Wendell's obituary from a couple of weeks ago, is he was married to Jane for fifty-one years, fifty-one years, and I think, you know, of all of the things that was on there -- on that obituary, that one really jumped out at me, 'cause I think that says a lot about who Wendell was. He was just a tremendously good-natured man, who served very well. Loved his community a lot. And he will be truly missed. And I will certainly - at least at baseball time - miss what I called the - the Tom Lasorda look alike. If you ever saw Wendell in that Los Angeles Dodgers getup that he had, he clearly could have doubled on the Tonight Show as a Tom Lasorda impersonator. So, I had the honor of knowing Wendell for a long time, just a great



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man, a tremendous loss, and may God bless him and his family.  
Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. I rise to speak to the resolution. It really is a darn shame that more people in this Chamber didn't have the opportunity to serve with Wendell, because he really is the epitome, sort of a model, of the kind of legislator that we really need, who keeps perspective, who is principled, but is not so principled that they forget about common sense. He was definitely fiscally conservative. But he also was very compassionate when it came to special education, in particular, and human services as well. He always articulated the need for the State to fulfill their obligation in those areas. So he was a serious legislator and he was just an easy person to get along with and he kept in perspective that the Chamber functions much better if we don't, you know, let our partisan divides keep us apart. I mean, he was easy to get to know. His sense of humor has been referenced often. That's the thing probably many of us will remember most about him. But, it was interesting, when I went to his -- the wake for Wendell, his wife and his daughter were there and we were chatting about his last few hours, and they said, "You know, he kept us entertained until forty-five minutes before he died." And that's when he slipped into a coma. But until that time, he was just concerned about, you know, how they were feeling and making sure that this was a -- a decent situation for them. And so I think that was a -- they seemed very comforted by that fact, that he would never

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really seem to suffer. At least he made sure that they weren't. So, again, we'll all miss him, his family especially, but I hope we can hold in our minds what kind of a great model legislator he was and we can all try to emulate that in the future. Thank you.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

The question is, shall the Senate adopt Senate Resolution No. 450. All those in favor will -- signify by voting Aye. Those opposed will vote Nay. The Ayes have it, and the resolution is adopted. Thank you. On the Order of -- on the Order of Resolution is House Joint Resolution 50. Madam Secretary, read the resolution.

SECRETARY ROCK:

Message from the House by Mr. Mapes, Clerk.

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

House Joint Resolution 50.

Offered by Senator Link.

(Secretary reads HJR No. 50)

It's adopted by the House, November 10th, 2011. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Senator Link moves to suspend the rules for purpose of the immediate consideration and adoption of House Joint Resolution 50. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Link moves for the adoption of House Joint Resolution 50. All -- all in favor will

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say Aye. Opposed, Nay. The Ayes have it. The resolution is -- is adopted. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those resolutions read in today will be added to the Consent Calendar. Madam Secretary, have there been any objections filed to any resolutions on the Consent Calendar?

SECRETARY ROCK:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR CLAYBORNE)

Any -- is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries and the resolutions are adopted. There being no further business to come before the Senate, we will stand adjourned to the call of the President. The Senate stands adjourned.