



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FOURTH GENERAL ASSEMBLY

66TH LEGISLATIVE DAY

THURSDAY, JANUARY 19, 2006

12:44 O'CLOCK P.M.

SENATE
Daily Journal Index
66th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Louis Viverito, Burbank, Illinois, presiding.
 Prayer by Dr. Clifford Hayes, First Presbyterian Church, Springfield, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, January 18, 2006, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

2005 Private Business and Vocational Schools' School Visitation and Complaint Report to the Legislature, submitted by the Illinois State Board of Education.

2005 Annual Report, submitted by the Illinois State Board of Education.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURE FILED

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to Senate Bill 2144

EXCUSED FROM ATTENDANCE

On motion of Senator Halvorson, Senator Meeks was excused from attendance due to business in his district.

REPORTS FROM STANDING COMMITTEES

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, to which was referred **Senate Bills numbered 2156 and 2162**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary, to which was referred **Senate Bill No. 2137**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Bills numbered 2134 and 2252**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Garrett, Chairperson of the Committee on State Government, to which was referred **Senate Joint Resolution No. 57**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 57** was placed on the Secretary's Desk.

[January 19, 2006]

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

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

HOUSE JOINT RESOLUTION NO. 15

WHEREAS, The General Assembly takes pride in recognizing the accomplishments and contributions of Illinois officials and citizens; and

WHEREAS, The late Senator Paul Simon's success in politics began with the reformer's zeal he evidenced at the Troy Tribune, where he was a crusading owner-editor, the nation's youngest newspaper owner, before he was old enough to vote; and

WHEREAS, Senator Simon served eight years in the House of Representatives; he married Jeanne Hurley of Wilmette in 1960, becoming the first husband-and-wife team in the history of the Illinois General Assembly; she preceded him in death in 2000; and

WHEREAS, As a legislator, he was chief sponsor of the law that required governmental agencies at all levels to open their meetings to the public and the news media; he voluntarily disclosed his personal finances in his first race for the State legislature - long before any disclosure was required - and continued baring his finances in more detail than the law required throughout his political career; and

WHEREAS, In 1968, voters elected Republican Richard Ogilvie as Governor and Democrat Paul Simon as Lieutenant Governor, the only time in Illinois history that voters would pair politicians of different parties for those offices; as Lieutenant Governor, he held town meetings throughout the State to field complaints about State government; following his term as Lieutenant Governor, he started the public affairs reporting program at Sangamon State University, now the University of Illinois at Springfield; and

WHEREAS, In 1974, Senator Simon was elected to the U.S. House of Representatives, serving 10 years until winning election to the U.S. Senate; he held the seat for 12 years before retiring in 1997; he helped overhaul the federal student loan program to enable students and their families to borrow directly from the government; he advocated for liberal causes and increased funding for social programs, but he also campaigned for a balanced budget amendment to the U.S. Constitution; he was known to be a man of integrity and a voice for the less fortunate; and

WHEREAS, Following his retirement from the U.S. Senate, Senator Simon took up teaching, writing, and heading the Public Policy Institute, a think tank which he founded at Southern Illinois University Carbondale; he married Patricia Derge in 2001; he is the recipient of several honorary degrees and other accolades; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that in honor of his many contributions to the citizens of the State of Illinois and this great Nation, the portion of Illinois Route 162 in Troy commencing at its intersection with U.S. 40 and ending at its intersection with Formosa Road is hereby designated the Paul Simon Parkway; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Secretary of the Illinois Department of Transportation and the family of Senator Paul Simon.

Adopted by the House, March 15, 2005.

MARK MAHONEY, Clerk of the House

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The foregoing message from the House of Representatives reporting House Joint Resolution No. 15 was referred to the Committee on Rules.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 576

Offered by Senator J. Jones-Righter and all Senators:

Mourns the death of Illinois National Guard Specialist Brian A. Wright of Keensburg.

SENATE RESOLUTION 577

Offered by Senator Hunter and all Senators:

Mourns the death of Jeune Thompson of Chicago.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

Senators Sandoval – del Valle offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 578

WHEREAS, The United States of America was founded by immigrants who traveled from around the world to seek a better life; and

WHEREAS, The United States has an undocumented population of 11 million immigrants, including half a million in Illinois; and

WHEREAS, Illinois immigrants fill key roles in our economy such as paying taxes, including contributions to Social Security that they cannot receive back, raising families, and contributing to our schools, churches, neighborhoods, and communities; and

WHEREAS, Our current immigration system contributes to long backlogs, labor abuses, countless deaths on the border, and vigilante violence and is in dire need of reform to meet the challenges of the 21st century; and

WHEREAS, Any comprehensive reform must involve a path to citizenship for these hardworking immigrants, as well as reunification of families and a safe and orderly process for enabling willing immigrant workers to fill essential jobs in our economy and ensure full labor rights; and

WHEREAS, The immigration initiative severely punishes illegal employment practices while creating a path to earned permanent legal status for individuals who have been working in the United States, paying taxes, obeying the law, and learning English, and protecting workers by ensuring the right to change jobs, join a union, and report abusive employment situations; and

WHEREAS, Modernizing our antiquated and dysfunctional immigration system will uphold our nation's basic values of fairness, equal opportunity, and respect for the law; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Congressional Delegation and all of Congress to support "The Secure America and Orderly Immigration Act of 2005" (S.1033 and H.R.2330), which allows every hardworking, law-abiding individual to achieve the American Dream; and be it further

RESOLVED, That copies of this resolution be delivered to the President of the United States, the Speaker of the House of Representatives, the President of the Senate, the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, the Majority and Minority Leaders of the House of Representatives, and each member of the Illinois Congressional Delegation.

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Senator Wilhelmi offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 579

WHEREAS, Congenital Heart Defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and

WHEREAS, Although each year 40,000 babies are born in the United States with Congenital Heart Defects (CHDs), newborns with potentially life-threatening conditions are not routinely screened; and

WHEREAS, Nearly twice as many children die from congenital heart defects as from all childhood cancers combined, yet research for cancer receives five times the funding; and

WHEREAS, Many cases of sudden cardiac death in young athletes are caused by undiagnosed CHDs and Childhood-Onset Heart Disease; and

WHEREAS, Raising awareness about CHDs is important; it will provide hope for families of CHD survivors and comfort to those whose loved ones have lost their battles; it will inform the general public about the symptoms of CHDs and possibly save lives; and it will affirm the need for increased funding to researchers and medical professionals so they can continue their work to improve the outlook for CHD patients; and

WHEREAS, The month of February has been designated as Congenital Heart Defect Awareness Month; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare February of 2006 to be Congenital Heart Defect Awareness Month in the State of Illinois, and we encourage all citizens to increase awareness, education, and services for Congenital Heart Defects which each year affect thousands of babies in Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Kathleen Mappa, Group Coordinator of Big Dreams for Little Hearts in Chicago.

Senator Brady offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 61
CONSTITUTIONAL AMENDMENT**

SC0061

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 3 of Article IV of the Illinois Constitution as follows:

ARTICLE IV
THE LEGISLATURE

SECTION 3. LEGISLATIVE REDISTRICTING

(a) Legislative Districts shall be compact, contiguous and substantially equal in population. Representative Districts shall be compact, contiguous, and substantially equal in population.

(b) By April 15 of the year following each Federal decennial census year, the State Board of Elections, by a record vote of a majority of the total number of members authorized by law as provided in Section 5 of Article III, shall designate a computer program for redistricting the Legislative Districts and Representative Districts that meets the requirements of this Section. The designation shall include detailed specifications of the computer program.

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Any computer program designated by the State Board of Elections under this Section shall embody the following standards and criteria, as defined by Common Law, in this order of priority:

- (1) contiguity;
- (2) substantial equality of population;
- (3) compactness;
- (4) minimization of the number of districts that cross precinct, ward, township, county, or municipal boundaries; and
- (5) a fair reflection of minority voting strength.

Any computer program designated by the State Board of Elections under this Section shall not consider the following data:

- (1) residency of incumbent legislators;
- (2) political affiliations of registered voters;
- (3) previous election results; and
- (4) demographic information not required to be used by this Section or by the United States Constitution or federal law.

Except as specified in this Section, the computer program shall produce districts in a random manner.

~~(c) (b) In the year following each Federal decennial census year, the State Board of Elections General Assembly by law shall redistrict the Legislative Districts and the Representative Districts using the computer program designated under subsection (b). The State Board of Elections shall approve a redistricting plan by a record vote of a majority of the total number of members authorized by law as provided in Section 5 of Article III, and the Board shall file that plan with the Secretary of State no later than June 1 of the year following the Federal decennial census year.~~

(d) The State Board of Elections shall designate a computer program under subsection (b) and shall approve a plan under subsection (c) at public meetings. The Board shall give reasonable and adequate advance notice of those meetings.

~~If no redistricting plan becomes effective by June 30 of that year, a Legislative Redistricting Commission shall be constituted not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party.~~

~~The Speaker and Minority Leader of the House of Representatives shall each appoint to the Commission one Representative and one person who is not a member of the General Assembly. The President and Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member of the General Assembly.~~

~~The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission.~~

~~Not later than August 10, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

~~If the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.~~

~~Not later than September 5, the Secretary of State publicly shall draw by random selection the name of one of the two persons to serve as the ninth member of the Commission.~~

~~Not later than October 5, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.~~

(e) An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

(f) The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

(Source: Amendment adopted at general election November 4, 1980.)

SCHEDULE

This Constitutional Amendment takes effect beginning with redistricting in 2011 and applies to the election of members of the General Assembly in 2012 and thereafter.

Senator Brady offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

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**SENATE JOINT RESOLUTION NO. 62
CONSTITUTIONAL AMENDMENT**

SC0062

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 2 of Article VIII of the Illinois Constitution as follows:

ARTICLE VIII
FINANCE

SECTION 2. STATE FINANCE

(a) The Governor shall prepare and submit to the General Assembly, at a time prescribed by law, a State budget for the ensuing fiscal ~~biennium year~~. The budget shall set forth the estimated balance of funds available for appropriation at the beginning of the fiscal ~~biennium year~~, the estimated receipts, and a plan for expenditures and obligations during the fiscal ~~biennium year~~ of every department, authority, public corporation and quasi-public corporation of the State, every State college and university, and every other public agency created by the State, but not of units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the State and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the fiscal ~~biennium year~~ as shown in the budget.

(b) The General Assembly by law shall make appropriations for all expenditures of public funds by the State. Appropriations for a fiscal ~~biennium year~~ shall not exceed funds estimated by the General Assembly to be available during that ~~biennium year~~.

(c) The fiscal biennium shall commence on July 1 of each odd-numbered year and end on June 30 of the ensuing odd-numbered year.
(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Brady offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

**SENATE JOINT RESOLUTION NO. 63
CONSTITUTIONAL AMENDMENT**

SC0063

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 2 of Article X of the Illinois Constitution as follows:

ARTICLE X
EDUCATION

SECTION 2. STATE BOARD OF EDUCATION - CHIEF STATE EDUCATIONAL OFFICER (REPEALED)

~~(a) There is created a State Board of Education to be elected or selected on a regional basis. The number of members, their qualifications, terms of office and manner of election or selection shall be provided by law. The Board, except as limited by law, may establish goals, determine policies, provide for planning and evaluating education programs and recommend financing. The Board shall have such other duties and powers as provided by law.~~

~~(b) The State Board of Education shall appoint a chief state educational officer.~~
(Source: Illinois Constitution.)

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SCHEDULE

This Constitutional Amendment takes effect on the July 1 next following the date of the election when this Constitutional Amendment is adopted.

Senator Hunter offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 64

WHEREAS, United States Secretary of Education, Margaret Spellings, has announced a New Path for the federal No Child Left Behind Act of 2001 by way of a set of common sense principles to guide states in meeting the Act's goals; this New Path equation includes the primary elements of the Act, such as the annual testing and reporting of subgroup data, but also includes increasing student achievement, narrowing the achievement gap, and overall state education policies that ensure that progress is being made; and

WHEREAS, The federal No Child Left Behind Act of 2001 recognizes that schools serving certain designated subgroups, such as children who are limited English speakers and children who have disabilities, require flexibility in determining annual yearly progress; recent educational research indicates that this type of flexibility is also needed for schools that serve other vulnerable population groups, such as high school drop-outs who return to school and who, due to low academic achievement levels, are often confronted with multiple barriers that impede their progress; and

WHEREAS, One of the flexible approaches that states have requested is the use of growth-based accountability models, which show promise as fair, reliable, and innovative methods for measuring school and student improvement; growth-based accountability models give schools credit for student improvement over time by tracking individual student achievement from year to year; and

WHEREAS, The United States Department of Education has developed a new pilot program in order to rigorously evaluate growth-based accountability models and their ability to meet the goals of the federal No Child Left Behind Act of 2001 and to share the results with other states; as part of this pilot program, states may propose a growth-based accountability model for use in determining annual yearly progress under the federal No Child Left Behind Act of 2001 for alternative schools and charter schools whose primary student populations are high school drop-outs and members of other vulnerable student population groups; and

WHEREAS, In order to be approved for participation in the program, a model must have the following core requirements: (i) ensure that all students are proficient by 2014 and set annual goals to ensure that the achievement gap is closing for all groups of students, (ii) set expectations for annual achievement based upon meeting grade-level proficiency, not based on student background or school characteristics, (iii) hold schools accountable for student achievement in reading, language arts, and mathematics, (iv) ensure that all students in tested grades are included in the assessment and accountability system, hold schools and districts accountable for the performance of each student subgroup, and include all schools and districts, (v) include an assessment system in each of grades 3 through 8 and high school in reading and language arts and mathematics, which must have been operational for more than one year, that must receive approval through the federal No Child Left Behind Act of 2001 peer review process for the 2005-2006 school year and that must produce comparable results from grade to grade and from year to year, (vi) track student progress as part of the state data system, and (vii) include student participation rates and student achievement on a separate academic indicator in the state accountability system; and

WHEREAS, The United States Department of Education will approve no more than 10 high-quality growth models in this pilot program for 2005-2006, and states that wish to apply and meet the core requirements must submit their proposals to the Department by February 17, 2006; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we urge the State Board of Education to apply for participation in the growth-based accountability pilot

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program established by the U.S. Department of Education; and be it further

RESOLVED, That we urge the United States Department of Education to use more flexible criteria in determining adequate yearly progress under the federal No Child Left Behind Act; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the U.S. Secretary of Education, the State Board of Education, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and to each member of the Illinois Congressional delegation.

Senator Watson offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 65
CONSTITUTIONAL AMENDMENT

SC0065

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article VI of the Illinois Constitution by changing Section 12 as follows:

ARTICLE VI
THE JUDICIARY

SECTION 12. ELECTION AND RETENTION

(a) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections as the General Assembly shall provide by law. A person eligible for the office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial elections by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions.

(b) The office of a Judge shall be vacant upon his death, resignation, retirement, removal, or upon the conclusion of his term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office.

(c) A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election. A person appointed to fill a vacancy less than 60 days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment.

(d) Not less than six months before the general election preceding the expiration of his term of office, a Supreme, Appellate or Circuit Judge who has been elected to that office may file in the office of the Secretary of State a declaration of candidacy to succeed himself. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of three-fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election.

(d-5) A Supreme, Appellate, or Circuit Judge who fails to timely file a declaration of candidacy to succeed himself or herself in office may not file petitions of candidacy for the vacancy in that office created by that failure.

(e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in office. A reduction shall become effective when a vacancy occurs in the affected unit.

(Source: Illinois Constitution.)

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SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senator Lightford offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 66

WHEREAS, The general intent and spirit of the federal No Child Left Behind Act of 2001 (Public Law 107-110), known as NCLB, are worthy of praise; and

WHEREAS, Many of NCLB's requirements on schools have been implemented in a manner that may result in federal sanctions being placed on improving schools; and

WHEREAS, Improvement status and associated sanctions under NCLB should be differentiated based on the magnitude of the school's failure to meet adequate yearly progress (AYP) requirements; and

WHEREAS, Schools should be allowed to choose the order of initiating either school choice or supplemental services so that services can be developed or secured in response to student need; and

WHEREAS, Adequate annual funding for the necessary remediation of students who are not meeting performance standards is a necessity if states are to meet the goals of NCLB; and

WHEREAS, Appropriate flexibility for schools, particularly in states with diverse populations such as Illinois, will allow NCLB to be implemented in a way that best meets the broad needs of a state's pupils; and

WHEREAS, States should be allowed to adopt value-added models based on the growth of individual students from grade to grade, ensuring that students achieve proficiency over time, and Illinois is examining the possibility of developing such a model; and

WHEREAS, One hundred percent of students reaching state standards, while commendable and desirable, is generally recognized as not being a realistically achievable goal, and additional research should be conducted regarding a more reasonable benchmark; and

WHEREAS, A recent and commendable announcement from the U.S. Department of Education, which allowed modified assessments for students with persistent academic disabilities, has shown that common sense and flexibility can be maintained without detracting from NCLB's goal of accountability; and

WHEREAS, While still striving to reach the laudable goal of having a highly qualified teacher in every classroom, the U.S. Department of Education has begun to take appropriate steps to adjust certain regulations to accommodate the needs of rural school districts and districts attempting to fill positions in special education and hard-to-staff subjects and schools; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we call on the Illinois congressional delegation to take action to review and amend NCLB and to encourage the U.S. Department of Education to implement regulations that (i) will permit appropriate consideration of students with special educational needs with respect to determinations of adequate yearly progress, including without limitation limited English-proficient students and special education students, (ii) will be sensitive to the needs for teachers in schools in hard-to-staff, rural, or isolated school districts and in special education, (iii) will reduce bureaucratic restrictions that stand in the way of the goals of NCLB, and (iv) will allow flexibility to the states in meeting the goals of the NCLB; and be it further

RESOLVED, That we urge the President and the Congress of the United States to fully fund the requirements of NCLB for the life of the Act; and be it further

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RESOLVED, That suitable copies of this resolution be delivered to the President of the United States, to the U.S. Secretary of Education, and to each member of the Illinois congressional delegation.

Senator Righter offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 580

WHEREAS, The members of the Senate of the State of Illinois recognize the dedication and efforts of the March of Dimes Illinois Chapter and their volunteers who for over 67 years have been fighting for the health and well-being of America's children and are now taking on the problem of prematurity; and

WHEREAS, The March of Dimes Illinois Chapter has made a difference in the lives of over 22,000 premature babies born annually in Illinois; and

WHEREAS, The March of Dimes Illinois Chapter is recognized for its programs to improve prematurity risk detection and prevent preterm births; and

WHEREAS, Thanks to the research and education programs funded by the March of Dimes, every premature baby born has an increased chance for survival; and

WHEREAS, The March of Dimes Illinois Chapter serves as a resource for information about healthy pregnancies and prematurity; and

WHEREAS, The March of Dimes Illinois Chapter works to increase awareness of the risk factors associated with premature birth such as smoking, drinking, and substance use; and

WHEREAS, The March of Dimes Illinois Chapter has successfully advocated to expand access to health coverage for pregnant women, infants, and children; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we do hereby proclaim November 15, 2006, as Premature Awareness Day in Illinois and encourage all citizens to be cognizant of the many wonderful and lifesaving services the March of Dimes Illinois Chapter provides to the people of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the March of Dimes Illinois Chapter as an expression of our esteem.

Senator Wilhelmi offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 67

WHEREAS, There has been, and continues to be, a significant expansion in the volume of personal property sold through pawnbrokers, auction services, consignment sellers, and other resellers; and

WHEREAS, There has been, and continues to be, a similar increase in the volume of stolen personal property sold through pawnbrokers, auction services, consignment sellers, and other resellers; and

WHEREAS, Access by law enforcement to sales-related information generated by pawnbrokers, auction services, consignment sellers, and other resellers has always been an important tool in combating burglary, robbery, theft, and other crimes directed at personal property; and

WHEREAS, Recent advances in electronic data collection and compilation have greatly simplified both the reporting of sales-related information by pawnbrokers, auction services, consignment sellers, and other resellers; and

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WHEREAS, These same advances have created opportunities for law enforcement to access sales-related information at increasingly shorter intervals after the date of sale; and

WHEREAS, Law enforcement agencies, pawnbrokers, auction services, consignment sellers, resellers, and information technology-related businesses in several states have created differing systems to provide law enforcement with timely access to sales-related information; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Re-Sellers' Electronic Reporting Task Force, consisting of 19 members appointed as follows:

(1) four members of the General Assembly, one member appointed by the President of the Senate, one member appointed by the Minority Leader of the Senate, one member appointed by the Speaker of the House, and one member appointed by the Minority Leader of the House; the members appointed by the President of the Senate and the Speaker of the House shall serve as co-chairs of the Task Force;

(2) three members appointed by the Governor; and

(3) twelve members who are not members of the General Assembly appointed by the co-chairs of the Task Force representing a range of interests, including: law enforcement, pawnbrokers, consignment sellers, auctioneers, insurance companies, and the general public; and be it further

RESOLVED, That all members shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, That the Task Force shall study the various systems, technologies, and methods of operation for providing law enforcement with timely access to information relating to the sales of personal property by pawnbrokers, auction services, consignment sellers, and other resellers, and shall consult with such law enforcement agencies, pawnbrokers, auction services, consignment sellers, resellers, and other persons or entities as it may deem fit, including, but not limited to, providers of technology and services relating to the collection, compilation, storage, and access to such information; and be it further

RESOLVED, That on or before December 31, 2006, the Task Force shall report to the General Assembly concerning its recommendations regarding the systems and technologies, together with their usage and potential funding mechanisms and sources, to be implemented to create a state-wide system for the collection of sales-related information by pawnbrokers, auction services, consignment sellers, and other resellers, and for the compilation, storage and timely access to such information by law enforcement and shall include proposed legislation to implement its recommendations, if needed; and be it further

RESOLVED, That upon issuing its report, the Task Force shall be dissolved.

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, during its January 19, 2006 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture & Conservation: **SENATE BILLS 2271 and 2334.**

Commerce & Economic Development: **SENATE BILLS 2262 and 2519.**

Education: **SENATE BILLS 2336 and 2464.**

Environment & Energy: **SENATE BILLS 2285, 2333, 2353 and 2412.**

Executive: **SENATE BILLS 2180, 2277, 2310, 2318, 2378, 2454 and 2554.**

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Financial Institutions: **SENATE BILLS 2305, 2325 and 2495.**

Health & Human Services: **SENATE BILLS 2267, 2308, 2381, 2432, 2436, 2437, 2448, 2455, 2465, 2483, 2487, 2491 and 2510.**

Higher Education: **SENATE BILLS 2312, 2351 and 2376.**

Housing & Community Affairs: **SENATE BILLS 2290 and 2451.**

Insurance: **SENATE BILL 2301.**

Judiciary: **SENATE BILLS 2272, 2284, 2295, 2300, 2303, 2368, 2374, 2391, 2402, 2466, 2475 and 2515.**

Labor: **SENATE BILLS 2399, 2446, 2449**

Licensed Activities: **SENATE BILLS 2274, 2286, 2292, 2297, 2345, 2355, 2395, 2469 and 2511.**

Local Government: **SENATE BILLS 2348, 2360, 2371, 2397 and 2555.**

Pensions & Investments: **SENATE BILL 2268.**

Revenue: **SENATE BILLS 2350 and 2513.**

State Government: **SENATE BILLS 2330, 2356 and 2456.**

Transportation: **SENATE BILLS 2283, 2306, 2401, 2439 and 2489.**

PRESENTATION OF RESOLUTION

Senator E. Jones offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 57

WHEREAS, Glaucoma affects more than 2.2 million Americans age 40 and older, including nearly 100,000 individuals in Illinois; and

WHEREAS, Glaucoma is indicative of tragic health disparities, affecting African Americans six to eight times more frequently than Caucasians; and

WHEREAS, Glaucoma is the leading cause of blindness for African Americans, with elder African Americans 14 to 16 times more likely to go blind from glaucoma than their Caucasian counterparts; and

WHEREAS, Latinos and women are also disproportionately affected by glaucoma in younger age groups than other populations; and

WHEREAS, Glaucoma affects increasing numbers of older people across all races and ethnicities, reducing the quality of life for people in their golden years; and

WHEREAS, Glaucoma causes people to lose their peripheral sight, oftentimes without the individual knowing it, and consequently only half of all people with glaucoma are aware of their condition; and

WHEREAS, Because of the furtive nature of how glaucoma progresses, it is commonly called the "Sneak Thief of Sight"; and

WHEREAS, Most cases of glaucoma can be controlled and vision loss can be slowed or halted when

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identified and treated; and

WHEREAS, When glaucoma is undetected, lost sight cannot be restored; and

WHEREAS, Glaucoma runs in the family, yet few people know to have regular dilated eye examinations if they are at higher risk via their family history; and

WHEREAS, Prevent Blindness America, the nation's leading voluntary health organization dedicated to saving sight and preventing blindness, in partnership with the Illinois Society for the Prevention of Blindness, seeks to educate the citizens of Illinois at large, and especially people in communities of higher risk, about the dangers of glaucoma and the importance of regular eye examinations; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we join with Prevent Blindness America and the Illinois Society for the Prevention of Blindness in recognizing January as Glaucoma Awareness Month; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Prevent Blindness America and the Illinois Society for the Prevention of Blindness.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION 568

Offered by Senator Haine and all Senators:

Mourns the death of Nina Henkhaus Klinke of Bethalto

SENATE RESOLUTION 569

Offered by Senator Haine and all Senators:

Mourns the death of Fred L. Hubbard of Roxana.

SENATE RESOLUTION 570

Offered by Senator Haine and all Senators:

Mourns the death of E. Richard Zitzman of Bethalto.

SENATE RESOLUTION 571

Offered by Senator Haine and all Senators:

Mourns the death of Alvin G. Dodds of Edwardsville.

SENATE RESOLUTION 572

Offered by Senator Haine and all Senators:

Mourns the death of Army Sergeant First Class Shawn Christopher Dostie, formerly of Granite City.

SENATE RESOLUTION 573

Offered by Senator J. Sullivan and all Senators:

Mourns the death of Thomas W. Birdsell of Beardstown.

SENATE RESOLUTION 574

Offered by Senator Forby and all Senators:

Mourns the death of Valery Decatoire of Springfield.

SENATE RESOLUTION 575

Offered by Senator Hunter and all Senators:
Mourns the death of Kathleen Foley Hogan of Wilmette.

SENATE RESOLUTION 576

Offered by Senator J. Jones-Richter and all Senators:
Mourns the death of Illinois National Guard Specialist Brian A. Wright of Keensburg.

SENATE RESOLUTION 577

Offered by Senator Hunter and all Senators:
Mourns the death of Jeune Thompson of Chicago.

Senator Halvorson moved the adoption of the foregoing resolutions.
The motion prevailed.
And the resolutions were adopted

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

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

HOUSE JOINT RESOLUTION NO. 86

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, January 19, 2006, the House of Representatives stand adjourned until Monday, January 23, 2006, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, January 24, 2006, at 12:00 o'clock noon; and the Senate stands adjourned until Friday, January 20, 2006, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, January 31, 2006 at 12:00 o'clock noon.

Adopted by the House, January 19, 2006.

MARK MAHONEY, Clerk of the House

By unanimous consent, on motion of Senator Halvorson, the foregoing message reporting House Joint Resolution No. 86 was taken up for immediate consideration.

Senator Halvorson moved that the Senate concur with the House in the adoption of the resolution.
The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.
Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 1:10 o'clock p.m., pursuant to **House Joint Resolution No. 86**, the Chair announced the Senate stand adjourned until Friday, January 20, 2006, in perfunctory session, and when it adjourns on that day, it stand adjourned until Tuesday, January 31, 2006, at 12:00 o'clock noon.