



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

27TH LEGISLATIVE DAY

WEDNESDAY, APRIL 18, 2007

1:05 O'CLOCK P.M.

SENATE
Daily Journal Index
27th Legislative Day

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Bill Number	Legislative Action	Page(s)
SJR 0043	Committee on Rules	5
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The Senate met pursuant to adjournment.
 Honorable Emil Jones, Jr., President of the Senate, presiding.
 Prayer by Pastor Brian Damrow, First Congregation Church, United Church of Christ,
 Springfield, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Friday, March 30, 2007, 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:

Report of projects funded under the Safe Routes to School Program, pursuant to P.A. 094-0493, submitted by the Department of Transportation.

DHFS Annual Report, Fiscal Years 2004, 2005 and 2006, submitted by the Department of Healthcare and Family Services.

Employment Security Advisory Board Report to the General Assembly, April 2007, submitted by the Employment Security Advisory Board.

2006 Annual Report of the Illinois Criminal Justice Information Authority, submitted by the Illinois Criminal Justice Information Authority.

2007 Annual Report of the IJIS Implementation Board, submitted by the Illinois Criminal Justice Information Authority and the Illinois Integrated Justice Information System Implementation Board.

Older Adult Services Act 2007 Report to the General Assembly, submitted by the Illinois Department on Aging.

Educator Supply & Demand Annual Report, submitted by the Illinois State Board of Education.

Legislative Inspector General's Quarterly Report for the period from 1/1/07 through 3/31/07, submitted by the Office of the Legislative Inspector General.

FY 2008 Revenue Forecast and Updated FY 2007 Revenue Estimate, submitted by the Commission on Government Forecasting and Accountability.

DOC Quarterly Report to the Legislature, April 1, 2007, submitted by the Illinois Department of Corrections.

DHS Human Services Plan, Fiscal Years 2006, 2007 and 2008, submitted by the Department of Human Services.

DHFS Human Services Plan, Fiscal Years 2006, 2007 and 2008, submitted by the Department of Healthcare and Family Services.

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

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

[April 18, 2007]

Senate Floor Amendment No. 1 to Senate Bill 1
Senate Floor Amendment No. 1 to Senate Bill 2
Senate Floor Amendment No. 1 to Senate Bill 5
Senate Floor Amendment No. 2 to Senate Bill 141
Senate Floor Amendment No. 1 to Senate Bill 234
Senate Floor Amendment No. 3 to Senate Bill 764
Senate Floor Amendment No. 1 to Senate Bill 1090
Senate Floor Amendment No. 2 to Senate Bill 1314
Senate Floor Amendment No. 2 to Senate Bill 1428

The following Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to House Bill 4
Senate Committee Amendment No. 1 to House Bill 277
Senate Committee Amendment No. 1 to House Bill 1423

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 131

Offered by Senator Haine and all Senators:
Mourns the death of Samuel A. Mormino, Sr., of Alton.

SENATE RESOLUTION 132

Offered by Senator Collins and all Senators:
Mourns the death of Glenn E. Clark of Chicago.

SENATE RESOLUTION 133

Offered by Senator Collins and all Senators:
Mourns the death of Beatrice Elizabeth Hardy of Chicago.

SENATE RESOLUTION 134

Offered by Senator E. Jones and all Senators:
Mourns the death of Mother Rosa Hooker of Chicago.

SENATE RESOLUTION 135

Offered by Senator Dillard and all Senators:
Mourns the death of Dr. Charles F. Ehret of Grayslake, formerly of Hinsdale and Clarendon Hills.

SENATE RESOLUTION 136

Offered by Senator Lauzen and all Senators:
Mourns the death of Private First Class Kenneth Kays of Fairfield.

SENATE RESOLUTION 137

Offered by Senator E. Jones and all Senators:
Mourns the death of Mary A. Schickel of Loveland, Ohio.

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

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

SENATE RESOLUTION NO. 138

[April 18, 2007]

WHEREAS, An estimated 26,000 veterans will die in Illinois in 2007, most of whom served during World War II and the Korean Conflict and a growing number of whom served during the Vietnam War; and

WHEREAS, These men and women served us so well in defending and protecting our country; and

WHEREAS, Our veterans have made untold sacrifices so that residents of Illinois and the nation may enjoy precious freedoms; and

WHEREAS, The vast majority of veterans will die in the community rather than in Veterans Affairs Medical Centers; and

WHEREAS, Many of our veterans have limited resources and fragile support systems in the community, including elderly and frail spouses, distant family members, and limited options for supportive and comprehensive care at the end of life; and

WHEREAS, Combat veterans have unique needs related to the war theater in which they served, the duties they performed, and the physical, mental, emotional, and spiritual injuries they sustained; and

WHEREAS, These unique needs often go unrecognized and untreated, causing veterans and their families unrelieved anguish and pain; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that on this Memorial Day, May 28, 2007, we rededicate efforts to ensure that all veterans and their families living in the State of Illinois have access to excellent palliative and hospice care that meets their special needs, honors them, and thanks them for their service to our country.

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

SENATE JOINT RESOLUTION NO. 43

WHEREAS, Alzheimer's disease is a slow, progressive disorder of the brain that results in loss of memory and other cognitive functions and, eventually, results in death; and

WHEREAS, Because Alzheimer's is accompanied by memory loss, poor judgment, changes in personality and behavior, and a tendency to wander, individuals with this disease are at increased risk for accidental injury, getting lost, abuse, neglect, and exploitation; and

WHEREAS, With one in 10 people over age 65 and almost one in every two people over 85 having Alzheimer's disease or a related dementia, over the past 10 years the number of Illinoisans with Alzheimer's and related dementias has risen dramatically to the point that today over 210,000 people are affected; and

WHEREAS, As the baby boom generation enters the age of greatest risk for Alzheimer's, by 2025 their number in Illinois is expected to increase to over 239,000; and

WHEREAS, Alzheimer's disease takes an enormous toll on loving family members, with an estimated one in four acting as a caregiver for each individual with the disease; and

WHEREAS, Caregivers for individuals with Alzheimer's watch closely the deleterious effects of the disease and often suffer more stress, depression, and health problems than caregivers of people with other illnesses; and

WHEREAS, Alzheimer's disease is considered to be early onset if an individual is younger than 65 when symptoms first appear, and early onset Alzheimer's can strike someone as early as their 30s, 40s,

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and 50s, with new data showing there may be half a million Americans under age 65 who have dementia or cognitive impairment at a level of severity consistent with dementia; and

WHEREAS, The State of Illinois has convened the Legislative Task Force on Alzheimer's Disease pursuant to House Joint Resolution 14 (93rd General Assembly); and

WHEREAS, The State of Illinois must not be complacent and must renew its commitment to develop a more aggressive State plan to ensure that the framework of programs and services to help Illinoisans with Alzheimer's and other related dementia are functioning and capable of meeting the challenge of this serious public health problem among Illinoisans; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Alzheimer's Disease and Other Related Dementia State Plan Council is created, to consist of the following: 8 members of the Illinois General Assembly appointed as follows: 2 members of the Senate appointed by the President of the Senate, one of whom shall serve as co-chairman; 2 members of the Senate appointed by the Minority Leader of the Senate; 2 members of the House of Representatives appointed by the Speaker of the House of Representatives, one of whom shall serve as co-chairman; and 2 members of the House of Representatives appointed by the Minority Leader of the House of Representatives; the Director of the Illinois Department on Aging (or his or her designee); the Director of the Illinois Department of Public Health (or his or her designee); the Director of the Illinois Department of Healthcare and Family Services (or his or her designee); and 8 members of the public appointed by the Governor, to include a representative of the Alzheimer's Association, a caregiver for a person with Alzheimer's Disease, and a person with early-stage Alzheimer's disease; Advisory Council 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 Alzheimer's Disease and Other Related Dementia State Plan Council is directed to assess the current and future impact of Alzheimer's disease on Illinoisans, to examine the existing services and resources addressing the needs of persons with Alzheimer's and their families and caregivers, and to prepare, and develop a strategy to implement, an Alzheimer's Disease and Other Related Dementia State Plan in response to this public health crisis; and be it further

RESOLVED, That the Alzheimer's Disease and Other Related Dementia State Plan Council shall include in its Alzheimer's Disease and Other Related Dementia State Plan an examination of the following:

- (1) trends in the State's Alzheimer's population and their needs, including the changing population with dementia, including but not limited to:
 - (A) the State's role in long-term care, family caregiver support, and assistance to persons with early-stage and early onset Alzheimer's; and
 - (B) the State's policy regarding persons with Alzheimer's and developmental disabilities;
- (2) existing services, resources, and capacity, including but not limited to:
 - (A) the type, cost, and availability of dementia services;
 - (B) the capacity of public safety and law enforcement to respond to persons with Alzheimer's;
 - (C) the availability of home and community-based resources for persons with Alzheimer's and respite care to assist families;
 - (D) an inventory of long-term care special dementia care units;
 - (E) the adequacy and appropriateness of geriatric-psychiatric units for persons with behavior disorders associated with Alzheimer's and related dementias;
 - (F) assisted living residential options for persons with dementia; and
 - (G) State support of Alzheimer's research through Illinois universities and other resources; and
- (3) needed State policies and responses, including, but not limited to, recommendations for provision of clear and coordinated services and support to persons and families living with Alzheimer's and related disorders, and ways to address any identified gaps in service; and be it further

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RESOLVED, That the Alzheimer's Disease and Other Related Dementia State Plan Council shall provide an Alzheimer's Disease and Other Related Dementia State Plan to the Governor and the General Assembly no later than January 1, 2009; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Governor, the Director of Aging, the Director of Public Health, and the Director of Healthcare and Family Services.

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

SENATE JOINT RESOLUTION NO. 44

WHEREAS, The State of Illinois, at the time of its acceptance into the Union in 1818 and for a longtime thereafter, practiced de facto slavery masqueraded as "indentured servitude"; the census of 1840 enumerated slaves in Illinois in violation of the Ordinance of 1787, which outlawed slavery in the Northwest Territories; and

WHEREAS, The State of Illinois passed the infamous and unjust Black Laws (1819), otherwise known as the Black Codes, which were a denial of human rights designed to cover up slavery and the slave trade within the borders of the State; and

WHEREAS, The State of Illinois supported the Black Codes for more than forty-six years until they were finally repealed; and

WHEREAS, In the State of Illinois the majority of Illinois citizens favored closing the State to African-American residents and withholding the right of citizenship from those African-American residents already living in the State; and

WHEREAS, The State of Illinois passed dehumanizing laws stating that slaves were not persons, but property, and as property the ownership of enslaved Africans was to be fully protected by Illinois law; and

WHEREAS, For many years, Black people, free or otherwise, had no legal status as citizens in the State of Illinois; and

WHEREAS, The East St. Louis massacre on July 2, 1917 was the scene of violent attacks on the Black populace; a bitter and destructive riot ran on for nearly a week; 312 buildings were destroyed; some reports claimed 39 African-Americans were killed, while another source reported 200 to 300 deaths, including women and children; and

WHEREAS, On August 14 and 15, 1908, a riot broke out in the State Capital of Springfield; Scott Burton was lynched during the riot and Joe James was lynched after the riot; there were lootings, buildings and property were destroyed, and Walter Donegan was hung in a tree, his throat slit open, and his body mutilated; and

WHEREAS, Chicago faced a riot in the week of July 27 through August 2, 1919; one of the country's most violent and racially motivated attacks on Blacks occurred; 38 people were killed, 537 were injured, and 1,000 people found themselves homeless; and

WHEREAS, The Chicago Commission on Race Relations rendered a full report studying the Black Community (The Negro in Chicago) and ignored studies of the white offenders and their communities; and

WHEREAS, The racial altercations throughout the State of Illinois during the turbulent decade of the 1960's resulted in the Kerner Commission Report, or The Report of the National Advisory Commission on Civil Disorders; and

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WHEREAS, There is a need for special investigations into the unknown number of African-Americans killed during race riots in the State of Illinois; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that a special commission, to be known as the Illinois Riot and Reparations Commission, be formed to study historical events in the State of Illinois, particularly those events that resulted in the loss of African-American lives and property; and that if the study presented by the Commission warrants a second commission be formed to look into the payment of reparations to the survivors and their descendants; and be it further

RESOLVED, That the Commission be made up of four members of the Illinois Senate, two to be chosen by the President of the Senate, and two to be chosen by the Senate Minority Leader; four members of the Illinois House of Representatives, two to be chosen by the Speaker of the House, and two to be chosen by the House Minority Leader; the Executive Director of the Illinois Human Rights Commission, or his or her designee, and the Director of the Illinois State Historical Society, or his or her designee; all of whom shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses; and be it further

RESOLVED, That the Commission shall meet at the call of the President of the Senate and shall make a report of its findings to the General Assembly no later than January 7, 2009, and upon making its report shall be dissolved; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Executive Director of the Illinois Human Rights Commission and the Director of the Illinois State Historical Society.

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

SENATE JOINT RESOLUTION NO. 45

WHEREAS, The State Board of Education has filed its Report on Waiver of School Code Mandates, dated March 1, 2007, with the Senate, the House of Representatives, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the General Assembly is encouraged to promptly review and evaluate the Report and determine whether to disapprove, in whole or in part, the Report or any waiver request or appealed request outlined in the Report.

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

SENATE JOINT RESOLUTION NO. 46

WHEREAS, Even though wireless telephones are small, the sheer number of the devices sold across the State of Illinois presents environmental challenges; and

WHEREAS, Wireless telephones consume energy and can be a disposal problem; and

WHEREAS, It is estimated that there will be more than 1,000,000,000 wireless telephones sold worldwide next year; and

WHEREAS, Continued advances in technology permit the industry to introduce new models with

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increased function and regulations allow consumers to retain their cell phone numbers when switching service providers; and

WHEREAS, There is no other consumer electronic device that is often replaced every 18 months; and

WHEREAS, Wireless take-back and refurbishment and recycling programs are national, voluntary, self-funding, and have existed for many years; and

WHEREAS, Wireless industry guidelines are agnostic with respect to handset types, brands, or where the handsets and accessories are turned back; and

WHEREAS, The markets for used wireless phones are different from most of the electronics industry with one market for refurbished phones and one market for recycled materials; and

WHEREAS, The industry expects that design changes required for the sale or import of wireless telephones in the European Union will also be applied to products marketed and sold in the United States; and

WHEREAS, More than 70% of a wireless phone can be recycled; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that it is important for manufacturers of wireless telephones to design products with environmentally friendly materials to the extent practicable; and be it further

RESOLVED, That manufacturers of wireless telephones design these products to use less energy; and be it further

RESOLVED, That manufacturers and retailers of wireless telephones accept, at no charge, up to 10 used wireless telephones from any person during the normal business hours of such business; and be it further

RESOLVED, That manufacturers and retailers of wireless telephones work to foster responsible stewardship practices among customers, suppliers, stakeholders, and employees; and be it further

RESOLVED, That manufacturers of wireless telephones and retailers of wireless telephones arrange for the collection and shipping and the refurbishment or recycling of wireless telephones by partners committed to environmentally sound practices for recycling and reuse; and be it further

RESOLVED, That manufacturers and retailers of wireless telephones inform customers of ways in which they can help ensure the environmentally sound disposition of used wireless devices; and be it further

RESOLVED, That manufacturers and retailers of wireless phones make information regarding the take-back of used wireless devices publicly available in avenues appropriate for the business type, including store signs, website posting, or other media; and be it further

RESOLVED, That manufacturers and retailers of wireless telephones regularly re-evaluate the reuse and recycling plans so that they will continue to provide an easy system for collection, reuse, and recycling of wireless telephones.

REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, during its April 18, 2007 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Appropriations III: **SENATE BILL 1132.**

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Commerce and Economic Development: **HOUSE BILL 407.**

Education: **HOUSE BILLS 285 and 3654.**

Environment and Energy: **HOUSE BILLS 1011 and 1654; Senate Committee Amendment No. 1 to House Bill 277.**

Executive: **HOUSE BILLS 426 and 735.**

Higher Education: **HOUSE BILLS 223 and 703.**

Human Services: **HOUSE BILLS 1646 and 1758.**

Insurance: **HOUSE BILL 1439.**

Judiciary Civil Law: **HOUSE BILL 1146.**

Judiciary Criminal Law: **HOUSE BILL 2024.**

Licensed Activities: **HOUSE BILL 1947.**

Local Government: **HOUSE BILLS 741 and 802; Senate Committee Amendment No. 1 to House Bill 4.**

Pensions and Investments: **HOUSE BILLS 804 and 824.**

Public Health: **HOUSE BILLS 1239 and 1643.**

State Government and Veterans Affairs: **HOUSE BILL 2023.**

Transportation: **HOUSE BILLS 167 and 3624.**

Senator Halvorson, Chairperson of the Committee on Rules, during its April 18, 2007 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

State Government and Veterans Affairs: **Senate Joint Resolution No. 27.**

At the hour of 1:44 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, April 19, 2007, at 9:00 o'clock a.m.