



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-NINTH GENERAL ASSEMBLY

36TH LEGISLATIVE DAY

TUESDAY, MAY 5, 2015

12:35 O'CLOCK P.M.

SENATE
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36th Legislative Day

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The Senate met pursuant to adjournment.
Senator John M. Sullivan, Rushville, Illinois, presiding.
Prayer by Reverend Christine Erdmann, Zion Evangelical Lutheran Church, Gillespie, Illinois.
Senator Cunningham led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, April 30, 2015, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

2015 Assessment Review Task Force Report, submitted by the Illinois State Board of Education.

IDES Bilingual Staffing Report for FY2014, submitted by the Department of Employment Security.

IDES Bilingual Staffing Report for FY2015, submitted by the Department of Employment Security.

Metropolitan Pier and Exposition Authority's Financial Plan for Fiscal Years 2016, 2017 and 2018, submitted by the Metropolitan Pier and Exposition Authority.

Report on Village of South Elgin, Illinois, Flood Hazard Mitigation Project, submitted by the Department of Natural Resources.

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

LEGISLATIVE MEASURES FILED

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

Committee Amendment No. 1 to House Bill 1336
Committee Amendment No. 1 to House Bill 3079
Committee Amendment No. 1 to House Bill 3121
Committee Amendment No. 2 to House Bill 3194
Committee Amendment No. 1 to House Bill 3527

The following Floor amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Floor Amendment No. 1 to House Bill 1498

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

Floor Amendment No. 3 to Senate Bill 223
Floor Amendment No. 2 to Senate Bill 226
Floor Amendment No. 2 to Senate Bill 565
Floor Amendment No. 2 to Senate Bill 1672

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

Committee Amendment No. 1 to Senate Resolution 317

MESSAGE FROM THE PRESIDENT
OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

May 1, 2015

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am canceling Session scheduled Friday, May 8, 2015. Session will reconvene at 12:00pm on Tuesday, May 12, 2015.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno
Democrat Caucus Members
Tim Mapes

COMMUNICATION FROM THE MINORITY LEADER

DISTRICT OFFICE:
1011 STATE ST., SUITE 210
LEMONT, IL 60439
(630) 243-0800
FAX: (630) 243-0808

CAPITOL OFFICE:
309A STATE HOUSE
SPRINGFIELD, IL 62706
(217) 782-9407
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CHRISTINE RADOGNO
SENATE REPUBLICAN LEADER · 41ST DISTRICT

May 5, 2015

Mr. Tim Anderson
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Mr. Secretary:

Please be advised that pursuant to Senate Rule 3-3(a), I have appointed the following Senators to the **Senate Special Committee on Oversight of Medicaid Managed Care**. These appointments are effective immediately.

Senator Dave Syverson, Minority Spokesman
Senator Bill Brady
Senator Pamela Althoff
Senator Chris Nybo

[May 5, 2015]

Senator Matt Murphy

If you have any questions, please contact my Chief of Staff, Phil Draves, at 217-782-8184.

Sincerely,
s/Christine Radogno
Christine Radogno
Senate Republican Leader

cc: Senate President John Cullerton
Assistant Secretary of the Senate Scott Kaiser

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 448

Offered by Senator Forby and all Senators:
Mourns the death of James "Jim" Trogolo.

SENATE RESOLUTION NO. 449

Offered by Senator Althoff and all Senators:
Mourns the death of Elizabeth A. "Betty" Davis of Woodstock.

SENATE RESOLUTION NO. 450

Offered by Senator Althoff and all Senators:
Mourns the death of Darrin Scott Frederick of Crystal Lake.

SENATE RESOLUTION NO. 451

Offered by Senator Althoff and all Senators:
Mourns the death of Ralph Carl Bayer of McHenry.

SENATE RESOLUTION NO. 452

Offered by Senator Althoff and all Senators:
Mourns the death of Leon R. Filas of Crystal Lake.

SENATE RESOLUTION NO. 453

Offered by Senator Althoff and all Senators:
Mourns the death of Eleanor Lillian Mungle of Woodstock.

SENATE RESOLUTION NO. 454

Offered by Senator Althoff and all Senators:
Mourns the death of Gary Michael Gharidini of Woodstock.

SENATE RESOLUTION NO. 455

Offered by Senator Althoff and all Senators:
Mourns the death of Merrill K. Douglass of Woodstock.

SENATE RESOLUTION NO. 456

Offered by Senator Althoff and all Senators:
Mourns the death of Harold E. Collier of Chemung.

SENATE RESOLUTION NO. 457

Offered by Senator Althoff and all Senators:
Mourns the death of Theodore "Ted" Pitzen of McHenry.

SENATE RESOLUTION NO. 458

Offered by Senator Althoff and all Senators:
Mourns the death of Cheryl L. Gurecki of Spring Grove.

[May 5, 2015]

SENATE RESOLUTION NO. 459

Offered by Senator Althoff and all Senators:
Mourns the death of Lawrence Paul “Larry” Polep of Johnsburg.

SENATE RESOLUTION NO. 460

Offered by Senator Althoff and all Senators:
Mourns the death of Edna M. Kiley of Crystal Lake.

SENATE RESOLUTION NO. 461

Offered by Senator Link and all Senators:
Mourns the death of Robert W. Carnahan.

SENATE RESOLUTION NO. 462

Offered by Senator Link and all Senators:
Mourns the death of Sherry Murray Coleman of North Chicago.

SENATE RESOLUTION NO. 463

Offered by Senator Link and all Senators:
Mourns the death of Michael Lloyd Hughes.

SENATE RESOLUTION NO. 464

Offered by Senator Link and all Senators:
Mourns the death of Dorothy J. “Puddy” Killoran.

SENATE RESOLUTION NO. 465

Offered by Senator Link and all Senators:
Mourns the death of Kenneth W. Larsen.

SENATE RESOLUTION NO. 466

Offered by Senator Link and all Senators:
Mourns the death of Edgar “Ed” McShane of Waukegan.

SENATE RESOLUTION NO. 467

Offered by Senator Link and all Senators:
Mourns the death of Jimmie R. Rogers.

SENATE RESOLUTION NO. 468

Offered by Senator Link and all Senators:
Mourns the death of George C. Stahl of Mundelein.

SENATE RESOLUTION NO. 469

Offered by Senator Link and all Senators:
Mourns the death of Winifred “Winnie” Stanczak of Lindenhurst.

SENATE RESOLUTION NO. 470

Offered by Senator Link and all Senators:
Mourns the death of Generose Marie Szostak of Sedgewood.

SENATE RESOLUTION NO. 471

Offered by Senator Link and all Senators:
Mourns the death of Jack F. “Boomer” Whitlow of Pleasant Prairie, Wisconsin.

SENATE RESOLUTION NO. 472

Offered by Senator Link and all Senators:
Mourns the death of Robert “Bobby” Wilkins.

SENATE RESOLUTION NO. 473

Offered by Senator Link and all Senators:

Mourns the death of Alfred William Wilson, Jr., of North Chicago.

SENATE RESOLUTION NO. 474

Offered by Senator McGuire and all Senators
Mourns the death of Willie Columbus Steward of Markham.

SENATE RESOLUTION NO. 475

Offered by Senator Collins and all Senators:
Mourns the death of Freddie Moss.

SENATE RESOLUTION NO. 476

Offered by Senator Collins and all Senators:
Mourns the death of Dorothy D. Mosley.

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

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

SENATE RESOLUTION NO. 477

WHEREAS, Illinois has a proud legacy as the home of the world's first juvenile court; and

WHEREAS, Illinois has another proud legacy from its first peoples -the practice of restorative justice; in the First Nation justice systems, healing and reintegration of individuals is the primary goal, rather than reliance on prisons and punishment; and

WHEREAS, The principle of restorative justice was included within the Purpose and Policy Section of Article 5 of the Illinois Juvenile Court Act in 1999; and

WHEREAS, To date, there have been multiple pilots throughout the State of restorative justice practices in the juvenile justice system, both as diversion from court and as sentencing alternatives, however there is no uniform statewide practice of restorative justice in the juvenile justice system; and

WHEREAS, As prison costs prove increasingly burdensome for taxpayers, and as studies reveal high repeat offending rates by prisoners who have little education or vocational skills upon release, states are increasingly examining restorative justice practices as effective diversion and sentencing alternatives; Northern Ireland, Finland, New Zealand, and other jurisdictions have successfully revamped their juvenile justice systems through the system-wide implementation of restorative justice practices and these nations serve as models of system reform through restorative justice practices; and

WHEREAS, Restorative justice practices in other nations have been implemented along with full due process and human rights protections for children in conflict with the law, including respect for confidentiality and use of dispositions that represent the least restrictive alternative; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Juvenile Justice Commission, working in partnership with the Illinois Balanced and Restorative Justice Project and the Illinois Juvenile Justice Initiative, community groups, and schools, review the current practice of restorative justice in juvenile justice systems in the State of Illinois and review restorative justice practices in juvenile justice systems in other states and cultures and nations, and report back to the Illinois General Assembly with recommendations to expand the practice of restorative justice in the juvenile justice system in Illinois with the goal of restoring public safety through restoration of the child in conflict with the law, within a system that incorporates the full range of due process and human rights protections, maximizing community based responses and utilizing incarceration only as a last resort for as short a time as possible; and be it further

[May 5, 2015]

RESOLVED, That a suitable copy of this resolution be delivered to the Illinois Juvenile Justice Commission.

Senator Holmes offered the following Senate Joint Resolution, which was referred to the Committee on Assignments:

SENATE JOINT RESOLUTION NO. 26

WHEREAS, Aurora University is a private university with a public purpose that desires to engage partners for the betterment of the community; and

WHEREAS, Aurora University and its partners desire to increase interest and achievement in science and mathematics prior to students matriculating to high school; and

WHEREAS, 43% of 2014 ACT-tested high school graduates in the United States met the ACT College Readiness Benchmark for mathematics; and

WHEREAS, 37% of 2014 ACT-tested high school graduates in the United States met the ACT College Readiness Benchmark for science; and

WHEREAS, Aurora University and its partners wrote a proposal to strengthen science and mathematics education in response to a community challenge from the Dunham Fund; and

WHEREAS, The John C. Dunham STEM Partnership School was authorized by Public Act 98-786, which provided that 2 or more contiguous school districts with all or a portion of their territory located within the same municipality may provide a math and science partnership school through an institution of higher learning; and

WHEREAS, Aurora University, Aurora East School District 131, Aurora West School District 129, Batavia School District 101, and Indian Prairie School District 204 entered into a governing agreement to operate the John C. Dunham STEM Partnership School under this law to inspire students to transformative academic achievement in science and mathematics; and

WHEREAS, Corporations, businesses, not-for-profits, and government entities have partnered with the university and school districts to develop and implement a curriculum that utilizes the community and university as a laboratory; and

WHEREAS, The success of the school's vision and the model depends in large measure on the on-going commitment of its partners; and

WHEREAS, The John C. Dunham STEM Partnership School can serve as a national model of education that can be replicated in other municipalities; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the John C. Dunham STEM Partnership School on the campus of Aurora University be recognized as a replicable model for education throughout the State of Illinois.

INTRODUCTION OF BILL

SENATE BILL NO. 2130. Introduced by Senator Morrison, a bill for AN ACT concerning safety. The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

MESSAGE FROM THE HOUSE

[May 5, 2015]

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 NO. 58

WHEREAS, The Partnership for Assessment of Readiness for College and Careers (PARCC) exam has replaced well-recognized State assessments, such as the ISAT and IGAP, as an accountability measure to test students from kindergarten to 12th grade on college readiness; and

WHEREAS, The PARCC exam is not recognized by any college as a college readiness exam, nor does it serve as a replacement for the ACT or SAT, leaving little incentive for students to do their best; and

WHEREAS, The PARCC exam administered in the 2014-2015 school year resulted in computer glitches that slowed down testing or did not allow students to access the exam at all; and

WHEREAS, The length and difficulty of administering the PARCC exam takes away too much traditional class time; and

WHEREAS, Content errors and poorly-worded questions in the exam make it difficult for students to know what the questions are asking; and

WHEREAS, There exists standards-based systems of assessments to monitor progress toward college and career readiness aligned with the ACT College Benchmarks and in which student outcomes are aligned to the Domain and Cluster reporting categories of the Common Core State Standards; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we urge the State Board of Education to reconsider its use of the PARCC exam as a way to test students; and be it further

RESOLVED, That we urge the State Board of Education to review the school assessment solutions offered by other Common Core-based exams in order to better and more efficiently test students' readiness for higher education; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the State Board of Education.

Adopted by the House, April 28, 2015.

TIMOTHY D. MAPES, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 58 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 247, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 264, sponsored by Senator McCarter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2811, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 3240, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3670, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3683, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3704, sponsored by Senator Connelly, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3841, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3967, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3988, sponsored by Senator Connelly, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4038, sponsored by Senator J. Cullerton, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4137, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

LEGISLATIVE MEASURES FILED

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

Committee Amendment No. 1 to House Bill 235
Committee Amendment No. 1 to House Bill 2495
Committee Amendment No. 1 to House Bill 3241
Committee Amendment No. 2 to House Bill 3332
Committee Amendment No. 1 to House Bill 3556
Committee Amendment No. 1 to House Bill 3718

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

Floor Amendment No. 3 to Senate Bill 221
Floor Amendment No. 1 to Senate Bill 227
Floor Amendment No. 2 to Senate Bill 1745

The following Committee amendments to the Senate Resolutions listed below have been filed with the Secretary and referred to the Committee on Assignments:

Committee Amendment No. 1 to Senate Joint Resolution 20
Committee Amendment No. 1 to Senate Resolution 233

REPORT FROM COMMITTEE ON ASSIGNMENTS

[May 5, 2015]

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2015 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Commerce and Economic Development: **Committee Amendment No. 2 to House Bill 3194.**

Criminal Law: **Floor Amendment No. 1 to House Bill 356; Committee Amendment No. 1 to House Bill 1336; Committee Amendment No. 1 to House Bill 3718.**

Education: **Floor Amendment No. 2 to Senate Bill 226; Committee Amendment No. 1 to House Bill 3197; Committee Amendment No. 1 to House Bill 3527.**

Executive: **Floor Amendment No. 2 to Senate Bill 565.**

Higher Education: **Committee Amendment No. 1 to Senate Joint Resolution 20; Floor Amendment No. 3 to Senate Bill 221; Floor Amendment No. 3 to Senate Bill 223.**

Human Services: **Floor Amendment No. 1 to House Bill 1566; SENATE BILL 1370.**

Insurance: **Committee Amendment No. 2 to Senate Bill 1235.**

Judiciary: **Committee Amendment No. 2 to House Bill 488; Committee Amendment No. 1 to House Bill 2640; Committee Amendment No. 2 to House Bill 2640; Committee Amendment No. 1 to House Bill 3079.**

Licensed Activities and Pensions: **Committee Amendment No. 1 to House Bill 1424.**

Public Health: **Committee Amendment No. 1 to House Bill 2790.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2015 meeting, reported that the Committee recommends that **House Bill No. 494** be re-referred from the Committee on Education to the Committee on Executive.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 5, 2015 meeting, reported that the Committee recommends that **Floor Amendment No. 1 to Senate Bill No. 981** be re-referred from the Labor Subcommittee on Special Issues to the Executive Subcommittee on Governmental Operations.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Haine moved that **Senate Resolution No. 254**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Haine moved that Senate Resolution No. 254 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAY 1.

The following voted in the affirmative:

Althoff	Forby	Lightford	Radogno
Anderson	Haine	Link	Raoul
Barickman	Harmon	Luechtefeld	Rezin
Bennett	Harris	Manar	Righter
Bertino-Tarrant	Hastings	Martinez	Rose
Biss	Holmes	McCann	Stadelman

[May 5, 2015]

Bivins	Hunter	McCarter	Steans
Bush	Hutchinson	McConnaughay	Sullivan
Clayborne	Jones, E.	McGuire	Syverson
Collins	Koehler	Morrison	Trotter
Connelly	Kotowski	Mulroe	Van Pelt
Cullerton, T.	LaHood	Muñoz	Mr. President
Cunningham	Landek	Noland	

The following voted in the negative:

Oberweis

The motion prevailed.
And the resolution was adopted.

Senator Bennett moved that **Senate Resolution No. 436**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.
Senator Bennett moved that Senate Resolution No. 436 be adopted.
The motion prevailed.
And the resolution was adopted.

MESSAGE FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, IL 62706
217-782-2728

May 5, 2015

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator James Clayborne to temporarily replace Senator Ira Silverstein as a member of the Senate Judiciary Committee. This appointment will automatically expire upon adjournment of the Senate Judiciary Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

At the hour of 1:25 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, May 6, 2015, at 11:00 o'clock a.m.

[May 5, 2015]