



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**63RD LEGISLATIVE DAY**

**WEDNESDAY, JULY 11, 2007**

**1:31 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**63rd Legislative Day**

<b>Action</b>	<b>Page(s)</b>
Introduction of Senate Bill No. 1855 .....	4
Joint Action Motion Filed .....	3
Legislative Measure(s) Filed .....	3
Presentation of Senate Resolution No. 289 .....	3
Report Received .....	3

<b>Bill Number</b>	<b>Legislative Action</b>	<b>Page(s)</b>
SB 0017	Concur in House Amendment(s) .....	9
SB 0259	Concur in House Amendment(s) .....	9
SB 0360	Concur in House Amendment(s) .....	10
SB 0581	Concur in House Amendment(s) .....	10
SB 0849	Recalled - Amendment(s) .....	4
SB 0849	Third Reading .....	6
SB 0858	Recalled - Amendment(s) .....	6
SB 0858	Third Reading .....	8
SB 1397	Concur in House Amendment(s) .....	11
SB 1446	Concur in House Amendment(s) .....	11

The Senate met pursuant to adjournment.  
Senator Rickey R. Hendon, Chicago, Illinois presiding.  
Prayer by Pastor Jeff Smith, Modesto Christian Church, Modesto, Illinois.  
Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Tuesday, July 10, 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.

#### **REPORT RECEIVED**

The Secretary placed before the Senate the following report:

Advancing the Agenda for Recovery – Specialized Alcohol and Drug Treatment Services for Women, Plan Years 2007 – 2011, submitted by the Department of Human Services.

The foregoing report was ordered received and placed on file in the Secretary's Office.

#### **LEGISLATIVE MEASURE FILED**

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

Senate Amendment No. 2 to Senate Bill 770

#### **JOINT ACTION MOTION FILED**

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

Motion to Concur in House Amendments 1 and 2 to Senate Joint Resolution 9

#### **PRESENTATION OF RESOLUTION**

##### **SENATE RESOLUTION 289**

Offered by Senator Silverstein and all Senators:  
Mourns the death of James P. McTigue of Chicago.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

#### **REPORTS FROM STANDING COMMITTEES**

Senator Wilhelmi, Chairperson of the Committee on Judiciary Criminal Law, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 3 to Senate Bill 1397

Under the rules, the foregoing motion is eligible for consideration by the Senate.

[July 11, 2007]

Senator Meeks, Chairperson of the Committee on Human Services, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 581

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 2 and 3 to Senate Bill 17

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Floor Amendment No. 1 to Senate Bill 770

Senate Floor Amendment No. 1 to Senate Bill 849

Under the rules, the foregoing floor amendments are eligible for consideration on second reading

Senator Ronen, Chairperson of the Committee on Licensed Activities, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 259; Motion to Concur in House Amendments 1 and 4 to Senate Bill 360

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Lightford, Vice-Chairperson of the Committee on Higher Education, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 2 to Senate Bill 1446

Under the rules, the foregoing motion is eligible for consideration by the Senate.

#### **INTRODUCTION OF BILL**

**SENATE BILL NO. 1855.** Introduced by Senators Harmon - Ronen - Crotty, a bill for AN ACT concerning government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

#### **SENATE BILL RECALLED**

On motion of Senator Clayborne, **Senate Bill No. 849** was recalled from the order of third reading to the order of second reading.

Senator Clayborne offered the following amendment and moved its adoption:

[July 11, 2007]

**AMENDMENT NO. 1 TO SENATE BILL 849**

AMENDMENT NO. 1. Amend Senate Bill 849 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 19-3 as follows:

(105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

Sec. 19-3. Boards of education. Any school district governed by a board of education and having a population of not more than 500,000 inhabitants, and not governed by a special Act may borrow money for the purpose of building, equipping, altering or repairing school buildings or purchasing or improving school sites, or acquiring and equipping playgrounds, recreation grounds, athletic fields, and other buildings or land used or useful for school purposes or for the purpose of purchasing a site, with or without a building or buildings thereon, or for the building of a house or houses on such site, or for the building of a house or houses on the school site of the school district, for residential purposes of the superintendent, principal, or teachers of the school district, and issue its negotiable coupon bonds therefor signed by the president and secretary of the board, in denominations of not less than \$100 nor more than \$5,000, payable at such place and at such time or times, not exceeding 20 years from date of issuance, as the board of education may prescribe, and bearing interest at a rate not to exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract, payable annually, semiannually or quarterly, but no such bonds shall be issued unless the proposition to issue them is submitted to the voters of the district at a referendum held at a regularly scheduled election after the board has certified the proposition to the proper election authorities in accordance with the general election law, a majority of all the votes cast on the proposition is in favor of the proposition, and notice of such bond referendum has been given either (i) in accordance with the second paragraph of Section 12-1 of the Election Code irrespective of whether such notice included any reference to the public question as it appeared on the ballot, or (ii) for an election held on or after November 1, 1998, in accordance with Section 12-5 of the Election Code, or (iii) by publication of a true and legible copy of the specimen ballot label containing the proposition in the form in which it appeared or will appear on the official ballot label on the day of the election at least 5 days before the day of the election in at least one newspaper published in and having a general circulation in the district, irrespective of any other requirements of Article 12 or Section 24A-18 of the Election Code, nor shall any residential site be acquired unless such proposition to acquire a site is submitted to the voters of the district at a referendum held at a regularly scheduled election after the board has certified the proposition to the proper election authorities in accordance with the general election law and a majority of all the votes cast on the proposition is in favor of the proposition. Nothing in this Act or in any other law shall be construed to require the notice of the bond referendum to be published over the name or title of the election authority or the listing of maturity dates of any bonds either in the notice of bond election or ballot used in the bond election. The provisions of this Section concerning notice of the bond referendum apply only to (i) consolidated primary elections held prior to January 1, 2002 and the consolidated election held on April 17, 2007 at which not less than 60% of the voters voting on the bond proposition voted in favor of the bond proposition, and (ii) other elections held before July 1, 1999; otherwise, notices required in connection with the submission of public questions shall be as set forth in Section 12-5 of the Election Code. Such proposition may be initiated by resolution of the school board.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

The proceeds of any bonds issued under authority of this Section shall be deposited and accounted for separately within the Site and Construction/Capital Improvements Fund.

(Source: P.A. 91-57, eff. 6-30-99; 92-6, eff. 6-7-01.)

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

[July 11, 2007]

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Clayborne, **Senate Bill No. 849**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 50; Nays None.

The following voted in the affirmative:

Bomke	Haine	Luechtefeld	Ronen
Bond	Halvorson	Maloney	Sandoval
Brady	Harmon	Martinez	Schoenberg
Burzynski	Hendon	Meeks	Sieben
Clayborne	Holmes	Millner	Silverstein
Collins	Hultgren	Munoz	Sullivan
Cronin	Hunter	Murphy	Syverson
Crotty	Jacobs	Noland	Viverito
Dahl	Jones, J.	Peterson	Watson
DeLeo	Koehler	Radogno	Wilhelmi
Demuzio	Kotowski	Raoul	Mr. President
Forby	Lightford	Righter	
Frerichs	Link	Risinger	

This bill, having received the vote of three-fifths of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

### SENATE BILL RECALLED

On motion of Senator Maloney, **Senate Bill No. 858** was recalled from the order of third reading to the order of second reading.

Senator Maloney offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 858

AMENDMENT NO. 1. Amend Senate Bill 858 by replacing everything after the enacting clause with the following:

"Section 5. The Public Community College Act is amended by adding Section 2.24 as follows:  
(110 ILCS 805/2.24 new)

Sec. 2.24. College and Career Readiness Pilot Program.

(a) The General Assembly finds that there is a direct and significant link between students being academically prepared for college and success in postsecondary education. Many students enter college unprepared for the academic rigors of college and require noncredit remedial courses to attain skills and knowledge needed for regular, credit coursework. Remediation lengthens time to degree, imposes additional costs on students and colleges, and uses student financial aid for courses that will not count toward a degree. All high school juniors take the Prairie State Achievement Examination, which contains the ACT college assessment exam. ACT test elements and scores can be correlated to specific course placements in community colleges. Customized ACT test results can be used in collaboration with high schools to assist high school students identify areas for improvement and help them close skill gaps during their senior year. Greater college and career readiness will reduce the need for remediation, lower

[July 11, 2007]

educational costs, shorten time to degree, and increase the overall success rate of Illinois college students.

(b) Subject to appropriation, the State Board shall create a 3-year pilot project, to be known as the College and Career Readiness Pilot Program. The goals of the program are as follows:

(1) To diagnose college readiness by developing a system to align ACT scores to specific community college courses in developmental and freshman curriculums.

(2) To reduce remediation by decreasing the need for remedial coursework in mathematics, reading, and writing at the college level through (i) increasing the number of students enrolled in a college-prep core curriculum, (ii) assisting students in improving college readiness skills, and (iii) increasing successful student transitions into postsecondary education.

(3) To align high school and college curriculums.

(4) To provide resources and academic support to students to enrich the senior year of high school through remedial or advanced coursework and other interventions.

(5) To develop an appropriate evaluation process to measure the effectiveness of readiness intervention strategies.

(c) The first year of the program created under this Section shall begin with the high school class of 2008.

(1) The State Board shall select 4 community colleges to participate in the program based on all of the following:

(A) The percentage of students in developmental coursework.

(B) Demographics of student enrollment, including socioeconomic status, race and ethnicity, and enrollments of first-generation college students.

(C) Geographic diversity.

(D) The willingness of the community college to submit developmental and introductory courses to ACT for analysis of college placement.

(E) The ability of the community college to partner with local high schools to develop college and career readiness strategies and college readiness teams.

(2) The State Board shall work with ACT to analyze up to 10 courses at each participating community college for purposes of determining student placement and college readiness.

(3) Each participating community college shall establish an agreement with a high school or schools to do all of the following:

(A) Create a data-sharing agreement.

(B) Create a Readiness Prescription for each student, showing all of the following:

(i) The readiness status for college-level work.

(ii) Course recommendations for remediation or for advanced coursework in Advanced Placement classes or dual credit and dual enrollment programs.

(iii) Additional academic support services, including tutoring, mentoring, and college application assistance.

(C) Create college and career readiness teams comprised of faculty and counselors or advisers from the community college and high school, the college and career readiness coordinator from the community college, and other members as determined by the high school and community college. The teams may include local business or civic leaders. The teams shall develop intervention strategies as follows:

(i) Use the Readiness Prescription to develop a contract with each student for remedial or advanced coursework to be taken during the senior year.

(ii) Monitor student progress.

(iii) Provide readiness support services.

(D) Retest students in the spring of 2008 to assess progress and college readiness.

(4) The State Board shall work with participating community colleges and high schools to develop an appropriate evaluation process to measure effectiveness of intervention strategies, including all of the following:

(A) Baseline data for each participating school.

(B) Baseline data for the Illinois system.

(C) Comparison of ACT scores from March 2007 to March 2008.

(D) Student enrollment in college in the fall of 2008.

(E) Placement of college and career readiness students in developmental and regular courses in the fall of 2008.

(F) Retention of college and career readiness students in the spring semester of 2009.

(5) The State Board shall work with participating community colleges and high schools to establish

[July 11, 2007]

operational processes and a budget for college and career readiness pilot programs, including all of the following:

(A) Employment of a college and career readiness coordinator at each community college site.

(B) Establishment of a budget.

(C) Creation of college and career readiness teams, resources, and partnership agreements.

(d) The second year of the program created under this Section shall begin with the high school class of 2009. In the second year, the State Board shall have all of the following duties:

(1) Analyze courses at 3 new community college sites.

(2) Undertake intervention strategies through college and career readiness teams with students in the class of 2009.

(3) Monitor and assist college and career readiness graduates from the class of 2008 in college.

(e) The third year of the program created under this Section shall begin with the high school class of 2010. In the third year, the State Board shall have all of the following duties:

(1) Analyze courses at 5 new community college sites.

(2) Add college and career readiness teams at 3 new sites (from year 2 of the program).

(3) Undertake intervention strategies through college and career readiness teams with students of the class of 2010 at 7 sites.

(4) Monitor and assist students from the classes of 2008 and 2009 in college."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

#### READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Maloney, **Senate Bill No. 858**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Clayborne	Hultgren	Munoz	Silverstein
Collins	Hunter	Murphy	Sullivan
Cronin	Jacobs	Noland	Syverson
Crotty	Jones, J.	Peterson	Viverito
Dahl	Koehler	Radogno	Watson
Demuzio	Kotowski	Raoul	Wilhelmi
Forby	Lightford	Righter	Mr. President
Frerichs	Link	Risinger	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

#### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

[July 11, 2007]

On motion of Senator Sullivan, **Senate Bill No. 17**, with House Amendments numbered 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Sullivan moved that the Senate concur with the House in the adoption of their amendments to said bill.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Clayborne	Hultgren	Munoz	Silverstein
Collins	Hunter	Murphy	Sullivan
Cronin	Jacobs	Noland	Syverson
Crotty	Jones, J.	Peterson	Viverito
Dahl	Koehler	Radogno	Watson
Demuzio	Kotowski	Raoul	Wilhelmi
Forby	Lightford	Righter	Mr. President
Frerichs	Link	Risinger	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 2 and 3 to **Senate Bill No. 17**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Demuzio, **Senate Bill No. 259**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Demuzio moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Clayborne	Hultgren	Munoz	Silverstein
Collins	Hunter	Murphy	Sullivan
Cronin	Jacobs	Noland	Syverson
Crotty	Jones, J.	Peterson	Viverito
Dahl	Koehler	Radogno	Watson
Demuzio	Kotowski	Raoul	Wilhelmi
Forby	Lightford	Righter	Mr. President
Frerichs	Link	Risinger	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 259**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Ronen, **Senate Bill No. 360**, with House Amendments numbered 1 and 4 on the Secretary's Desk, was taken up for immediate consideration.

Senator Ronen moved that the Senate concur with the House in the adoption of their amendments to said bill.

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

Yeas 49; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Rutherford
Bomke	Halvorson	Maloney	Sandoval
Bond	Harmon	Martinez	Schoenberg
Brady	Hendon	Meeks	Sieben
Burzynski	Holmes	Millner	Silverstein
Clayborne	Hultgren	Munoz	Sullivan
Collins	Hunter	Noland	Viverito
Cronin	Jacobs	Peterson	Watson
Crotty	Jones, J.	Radogno	Wilhelmi
Dahl	Koehler	Raoul	Mr. President
Demuzio	Kotowski	Righter	
Forby	Lightford	Risinger	
Frerichs	Link	Ronen	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 4 to **Senate Bill No. 360**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Wilhelmi, **Senate Bill No. 581**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Wilhelmi moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Clayborne	Hultgren	Munoz	Silverstein
Collins	Hunter	Murphy	Sullivan
Cronin	Jacobs	Noland	Syverson
Crotty	Jones, J.	Peterson	Viverito
Dahl	Koehler	Radogno	Watson
Demuzio	Kotowski	Raoul	Wilhelmi
Forby	Lightford	Righter	Mr. President
Frerichs	Link	Risinger	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 581**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

[July 11, 2007]

On motion of Senator Harmon, **Senate Bill No. 1397**, with House Amendment No. 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Harmon moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Clayborne	Hultgren	Munoz	Silverstein
Collins	Hunter	Murphy	Sullivan
Cronin	Jacobs	Noland	Syverson
Crotty	Jones, J.	Peterson	Viverito
Dahl	Koehler	Radogno	Watson
Demuzio	Kotowski	Raoul	Wilhelmi
Forby	Lightford	Righter	Mr. President
Frerichs	Link	Risinger	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 1397**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Sandoval, **Senate Bill No. 1446**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Sandoval moved that the Senate concur with the House in the adoption of their amendment to said bill.

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

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Ronen
Bomke	Halvorson	Maloney	Rutherford
Bond	Harmon	Martinez	Sandoval
Brady	Hendon	Meeks	Schoenberg
Burzynski	Holmes	Millner	Sieben
Clayborne	Hultgren	Munoz	Silverstein
Collins	Hunter	Murphy	Sullivan
Cronin	Jacobs	Noland	Syverson
Crotty	Jones, J.	Peterson	Viverito
Dahl	Koehler	Radogno	Watson
Demuzio	Kotowski	Raoul	Wilhelmi
Forby	Lightford	Righter	Mr. President
Frerichs	Link	Risinger	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1446**.

[July 11, 2007]

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 2:05 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, July 12, 2007, at 1:00 o'clock p.m.