



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FOURTH GENERAL ASSEMBLY

110TH LEGISLATIVE DAY

TUESDAY, NOVEMBER 14, 2006

1:21 O'CLOCK P.M.

SENATE
Daily Journal Index
110th Legislative Day

Action	Page(s)
Committee Meeting Announcement	6
Communication from the Minority Leader	4
Joint Action Motions Filed	4
Message from the President	4
Motion in Writing	11, 21
Presentation of Senate Joint Resolution No. 92	16
Presentation of Senate Joint Resolution No. 93	13
Presentation of Senate Joint Resolution No. 94	17
Presentation of Senate Joint Resolution No. 95	17
Presentation of Senate Resolution No. 877	13
Presentation of Senate Resolution No. 878	14
Presentation of Senate Resolutions No'd 855-876	11
Report from Rules Committee	5
Reports Received	3

Bill Number	Legislative Action	Page(s)
SJR 0092	Committee on Rules	16
SJR 0094	Committee on Rules	17
SJR 0095	Committee on Rules	17
SR 0877	Committee on Rules	13
SR 0878	Committee on Rules	14
HB 0782	First Reading	19

The Senate met pursuant to adjournment.
 Honorable Emil Jones, Jr., President of the Senate, presiding.
 Prayer by Rabbi Marks, Temple Israel, Springfield, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, May 3, 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.

The Journal of Thursday, May 4, 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.

The Journal of Wednesday, November 1, 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:

Supplement to Underrepresented Groups in Illinois Higher Education: Web Accessibility at Public Colleges and Universities, submitted by the Illinois Board of Higher Education.

CMS Report summarizing consolidation and reorganization activities, status and results of the transfer of certain media functions pursuant to Executive Order 2004-2, submitted by the Department of Central Management Services.

CMS Third Annual Report summarizing consolidation and reorganization activities, status and result of facilities management pursuant to Executive Order 2003-10, submitted by the Department of Central Management Services.

FY 2006 Highway Program Accomplishments, submitted by the Department of Transportation.

FY 2007 Preschool for All Funding Report, submitted by the Illinois State Board of Education.

Report of the CILA Nursing Services Reimbursement Work Group pursuant to Senate Resolution 514, submitted by the CILA Nursing Services Reimbursement Work Group.

Monthly Briefing, October 2006, submitted by the Commission on Government Forecasting and Accountability.

The foregoing reports were 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 Floor Amendment No. 1 to Senate Bill 1275

[November 14, 2006]

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 2 to Senate Bill 611
Motion to Concur in House Amendments 1 and 3 to Senate Bill 2295

MESSAGE FROM THE PRESIDENT

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

EMIL JONES, JR.
SENATE PRESIDENT

327 STATE CAPITOL
Springfield, Illinois 62706

November 14, 2006

Ms. Linda Hawker
Secretary of the Senate
403 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Debbie Halvorson to replace Senator Rickey Hendon as a member of the Rules Committee. This appointment is effective immediately.

Very truly yours,
s/Emil Jones, Jr.
President

cc: Senate Minority Leader Frank Watson

COMMUNICATION FROM MINORITY LEADER

ILLINOIS STATE SENATE
FRANK C. WATSON
STATE SENATOR
51ST SENATE DISTRICT

November 14, 2006

Linda Hawker
Secretary of the Senate
401 State House
Springfield, Illinois 62706

Dear Secretary Hawker:

Pursuant to the provisions of Senate Rule 3-5(b) and (c), I am hereby appointing Senator Dale Righter to replace Senator Peter Roskam as a member of the Senate Rules Committee. This appointment shall take effect immediately.

Sincerely,

[November 14, 2006]

s/Frank Watson
Senate Republican Leader

cc: Senate President Emil Jones
Senator Roskam
Senator Righter
Scott Kaiser

REPORT FROM RULES COMMITTEE

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **Senate Bills Numbered 611, 858, 2185, 2295, 2664, 2762, 2772, 2796 and 3088 and House Bill No. 4173** on June 4, 2006, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 611, 858, 2185, 2295, 2664, 2762, 2772, 2796 and 3088 and House Bill NO. 4173** were returned to Secretary's Desk - Concurrence.

Senator Viverito, Chairperson of the Committee on Rules, during its November 14, 2006 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Labor: **Senate Floor Amendment No. 1 to Senate Bill 1275**

Senator Viverito, Chairperson of the Committee on Rules, during its November 14, 2006 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Education: **Motion to Concur in House Amendment 1 to Senate Bill 858**
Motion to Concur in House Amendments 2 and 3 to Senate Bill 2762
Motion to Concur in House Amendments 1 and 2 to Senate Bill 2796

Housing & Community Affairs: **Motion to Concur in House Amendment 1 to Senate Bill 2772**

Judiciary: **Motion to Concur in House Amendments 1 and 3 to Senate Bill 2295**

Local Government: **Motion to Concur in House Amendment 2 to Senate Bill 611**
Motion to Concur in House Amendment 5 to Senate Bill 2664

Motion to Recede from Senate Amendments 1 and 2 to House Bill 4173

Revenue: **Motion to Concur in House Amendments 1 and 2 to Senate Bill 2185**
Motion to Concur in House Amendment 1 to Senate Bill 3088

Senator Viverito, Chairperson of the Committee on Rules, to which was referred **Senate Bill No. 1275** on July 1, 2005, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 1275** was returned to the order of third reading.

Senator Viverito, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

HJR 121

[November 14, 2006]

The foregoing resolution was placed on the Secretary's Desk.

COMMITTEE MEETING ANNOUNCEMENTS

Senator Lightford, Chairperson of the Committee on Education, announced that the Education Committee will meet today in Room 212, at 2:45 o'clock p.m.

Senator Crotty, Chairperson of the Committee on Local Government, announced that the Local Government Committee will meet today in Room A-1 Stratton Building, at 2:45 o'clock p.m.

Senator Martinez, Vice-Chairperson of the Committee on Housing & Community Affairs, announced that the Housing & Community Affairs Committee will meet today in Room A-1 Stratton Building, at 3:00 o'clock p.m.

Senator Harmon, Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet today in Room 400, at 3:30 o'clock p.m.

Senator Forby, Chairperson of the Committee on Labor, announced that the Labor Committee will meet today in Room 400, at 4:00 o'clock p.m.

Senator Harmon, Vice-Chairperson of the Committee on Judiciary, announced that the Judiciary Committee will meet today in Room 212, at 3:00 o'clock p.m.

INTRODUCTION OF BILLS

SENATE BILL NO. 3187. Introduced by Senator Righter, a bill for AN ACT concerning regulation.

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

SENATE BILL NO. 3188. Introduced by Senator Althoff, a bill for AN ACT concerning State finance.

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

SENATE BILL NO. 3189. Introduced by Senator Collins, a bill for AN ACT concerning criminal law.

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

SENATE BILL NO. 3190. Introduced by Senator Righter, a bill for AN ACT concerning energy.

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

SENATE BILL NO. 3191. Introduced by Senator Munoz, a bill for AN ACT concerning civil law.

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

SENATE BILL NO. 3192. Introduced by Senator Munoz, a bill for AN ACT concerning civil law.

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

[November 14, 2006]

SENATE BILL NO. 3193. Introduced by Senator Sullivan, a bill for AN ACT concerning criminal law.

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

SENATE BILL NO. 3194. Introduced by Senator Bomke, a bill for AN ACT concerning regulation.

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

SENATE BILL NO. 3195. Introduced by Senators Trotter - Collins - Schoenberg and Sieben, a bill for AN ACT concerning State government.

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

SENATE BILL NO. 3196. Introduced by Senator Collins, a bill for AN ACT concerning employment.

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

SENATE BILL NO. 3197. Introduced by Senator Collins, a bill for AN ACT concerning criminal law.

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

SENATE BILL NO. 3198. Introduced by Senator Cullerton, a bill for AN ACT concerning driving violations.

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

SENATE BILL NO. 3199. Introduced by Senator Cullerton, a bill for AN ACT concerning driving violations.

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

Senator Link announced a Democrat Caucus to begin immediately upon recess

Senator Burzynski announced a Republican Caucus to begin immediately upon recess.

**OFFICE OF THE SECRETARY OF STATE
JESSE WHITE · Secretary of State**

October 19, 2006

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills from the 94th General Assembly that are being returned by the Governor with specific recommendations for change.

Senate Bills

0830
2445
2477

[November 14, 2006]

Respectfully,
s/Jesse White
Secretary of State

February 21, 2007

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 830, entitled "AN ACT concerning local government," with the following specific recommendation for change:

on page 1, line 15, by replacing "12" with "14"; and
on page 1, line 20, by replacing "10" with "12"; and
on page 1, line 21, by replacing "4" with "4 6"; and
on page 1, line 29, by replacing "Seven" with "Eight"; and
on page 2, line 12, by replacing "member" with "members"; and
on page 4, line 10, by replacing "7" with "8".

With these changes, Senate Bill 830 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

August 1, 2006

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2445, entitled "AN ACT concerning liquor," with the following specific recommendation for change:

On page 5, line 29, by adding "and (8) the principal of the school has delivered a written statement to the local liquor control commissioner stating that the principal does not object to the issuance or renewal of a license."

With these changes, Senate Bill 2445 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

[November 14, 2006]

July 7, 2006

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 2477, entitled "AN ACT concerning education," with the following specific recommendation for change:

on page 1, line 28, after "education," by inserting "(iv) provided, however that for purposes of Section 18 of this Act such a school district will not be considered a municipal corporation,"; and,

on page 2, line 4, after "education," by inserting "(iv) provided, however that for purposes of Section 18 of this Act such a school district will not be considered a municipal corporation,".

With these changes, Senate Bill 2477 will have my approval. I respectfully request your concurrence.

Sincerely,
ROD R. BLAGOJEVICH
Governor

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE · Secretary of State

October 19, 2006

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills from the 94th General Assembly as vetoed by the Governor together with his objections.

SENATE BILLS

0185
2255
2555
2732

Respectfully,
s/Jesse White
Secretary of State

February 21, 2007

To the Honorable Members of the
Illinois Senate

[November 14, 2006]

94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 185, entitled "AN ACT concerning the Metropolitan Water Reclamation District." While I recognize and appreciate the hard work of all the sponsors in passing this legislation, the bill would allow the Metropolitan Water Reclamation District to increase the salaries of some officers and members of the District. Providing a pay increase to these officers and members at the expense of Metropolitan Water Reclamation District taxpayers is untimely and unnecessary.

For this reason, I hereby veto and return Senate Bill 185.

Sincerely,
ROD R. BLAGOJEVICH
Governor

June 30, 2006

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2255, entitled "AN ACT concerning local government." Senate Bill 2255 exempts the position of "assistant director of personnel" from the civil service protections of the Metropolitan Water Reclamation District Act. At this point, I am not convinced that a person serving in this position should not benefit from these protections.

For these reasons, I hereby veto and return Senate Bill 2255.

Sincerely,
ROD R. BLAGOJEVICH
Governor

June 26, 2006

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2555, entitled "AN ACT concerning local government." Senate Bill 2555 provides a new mechanism for mosquito abatement districts to annex land. However, the ramifications of the annexation will result in additional tax liability for the residents who are annexed into the mosquito abatement district without providing those residents with the ability to challenge the annexation and resulting tax increase.

Current law already provides a mechanism by which voters may petition to have land added to a mosquito abatement district. Although I recognize the importance of these districts, annexation resulting in an extension of taxes should be left to the voters and the voters should be given a process through which they can challenge such a tax extension. Therefore, I will not consent to this change of the Mosquito Abatement District Act.

For these reasons, I hereby veto and return Senate Bill 2555.

Sincerely,
ROD R. BLAGOJEVICH
Governor

[November 14, 2006]

June 16, 2006

To the Honorable Members of the
Illinois Senate
94th General Assembly

Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby veto Senate Bill 2732, entitled "AN ACT concerning regulation." I recognize and appreciate the hard work of all the sponsors in passing this legislation. However, Senate Bill 2732 contains identical language as Public Act 94-0779, which I signed into law on May 19, 2006.

For this reason, I hereby veto and return Senate Bill 2732.

Sincerely,
ROD R. BLAGOJEVICH
Governor

MOTION IN WRITING

Senator Crotty submitted the following Motion in Writing:

I move to accept the specific recommendations of the Governor as to **Senate Bill No. 830** in manner and form as follows:

**AMENDMENT TO SENATE BILL 830
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS**
Amend Senate Bill 830 as follows:

on page 1, line 15, by replacing "12" with "14"; and
on page 1, line 20, by replacing "10" with "12"; and
on page 1, line 21, by replacing "4" with "4 6"; and
on page 1, line 29, by replacing "Seven" with "Eight"; and
on page 2, line 12, by replacing "member" with "members"; and
on page 4, line 10, by replacing "7" with "8".

Date: 11-14, 2006

s/Maggie Crotty

The foregoing Motion in Writing was referred to the Committee on Rules.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 855

Offered by Senators Viverito – E. Jones and all Senators:
Mourns the death of Frank J. Radochonski of Burbank.

SENATE RESOLUTION 856

Offered by Senators Righter – J. Jones and all Senators:
Mourns the death of Lance Corporal Joshua Hines

SENATE RESOLUTION 857

Offered by Senator Forby and all Senators:
Mourns the death of Frank Fourez of Christopher.

[November 14, 2006]

SENATE RESOLUTION 858

Offered by Senator Forby and all Senators:
Mourns the death of Julia Kolisek of Benton.

SENATE RESOLUTION 859

Offered by Senator Forby and all Senators:
Mourns the death of Chellis Y. "C.Y." Larrison of Metropolis.

SENATE RESOLUTION 860

Offered by Senator Forby and all Senators:
Mourns the death of Robert E. Peterson.

SENATE RESOLUTION 861

Offered by Senator E. Jones and all Senators:
Mourns the death of Isabel Graham Henderson Pedro.

SENATE RESOLUTION 862

Offered by Senator Lightford and all Senators:
Mourns the death of Benjamin Williams.

SENATE RESOLUTION 863

Offered by Senator Collins and all Senators:
Mourns the death of Leon Welch.

SENATE RESOLUTION 864

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Thomas J. Riley, Jr., of Joliet.

SENATE RESOLUTION 865

Offered by Senator Haine and all Senators:
Mourns the death of Sister M. Theotima Plass, FSGM, of Alton.

SENATE RESOLUTION 866

Offered by Senator Haine and all Senators:
Mourns the death of William Henry Dittmann.

SENATE RESOLUTION 867

Offered by Senator Hunter and all Senators:
Mourns the death of Nettie Frances Smith.

SENATE RESOLUTION 868

Offered by Senator Hunter and all Senators:
Mourns the death of Emery Earl Coleman.

SENATE RESOLUTION 869

Offered by Senator Hunter and all Senators:
Mourns the death of Dorothy Elizabeth Morrison of Chicago.

SENATE RESOLUTION 870

Offered by Senator Hunter and all Senators:
Mourns the death of Mother Frances Davis.

SENATE RESOLUTION 871

Offered by Senator Hunter and all Senators:
Mourns the death of Ruth Brody of Skokie.

SENATE RESOLUTION 872

Offered by Senator Hunter and all Senators:
Mourns the death of Olivia Turner.

SENATE RESOLUTION 873

Offered by Senator Hunter and all Senators:
Mourns the death of Susie M. Jones Williams.

SENATE RESOLUTION 874

Offered by Senator Hunter and all Senators:
Mourns the death of Glenda Stewart.

SENATE RESOLUTION 875

Offered by Senator Forby and all Senators:
Mourns the death of Elmer Jenkins of Benton.

SENATE RESOLUTION 876

Offered by Senator Forby and all Senators:
Mourns the death of Richard A. "Steve" Stevenson.

SENATE JOINT RESOLUTION 93

Offered by Senator Brady and all Senators:
Mourns the death of U.S. Army Specialist Ron Gebur.

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

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

SENATE RESOLUTION NO. 877

WHEREAS, The proper use of force by police and correctional officers in carrying out their official duties is of utmost importance to the health, safety, and welfare of all persons in the State of Illinois; and

WHEREAS, Recent events demonstrate the impact that the issue of the use of Electro-Muscular Disruption technology by police and correctional officers can have upon the health, safety, and welfare of Illinois residents; and

WHEREAS, There is an immediate need for the review of Use of Force Models and Standards used in the training of police and correctional officers utilizing Electro-Muscular Disruption devices; and

WHEREAS, It is in the best interest of the People of the State of Illinois to have all police and correctional officers thoroughly trained in the proper use of force involving Electro-Muscular Disruption devices; and

WHEREAS, Currently, there are 5 police training academies and 16 Mobile Team Units in the State of Illinois instructing officers on the Use of Force Models and Standards; and

WHEREAS, It is in the best interest of the People of the State of Illinois to have all officers trained under the same or similar Use of Force Models and Standards that address the proper use of EMD technology; and

WHEREAS, The Illinois Law Enforcement Training Standards Board is responsible for setting standards and certifying police training curricula applicable to local government police and correctional officers throughout the State of Illinois; therefore, be it

[November 14, 2006]

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois Law Enforcement Training Standards Board shall convene a Task Force on Electro-Muscular Disruption Technology within one month after the adoption of this resolution to study and evaluate all available Use of Force Models and paradigms for the purpose of presenting to the Board a recommendation for a standardized Use of Force Model or paradigm for the use of Electro-Muscular Disruption technology in training all police and correctional officers in the State of Illinois; and be it further

RESOLVED, That the Task Force shall be composed of at least 11 members appointed as follows: (1) one designee of the Illinois Law Enforcement Training Standards Board who shall act as chair of the Task Force, (2) one designee from each of the 5 police officer training academies certified by the Board, (3) one designee from the Illinois Sheriffs' Association, (4) one designee from the Illinois Fraternal Order of Police, (5) one designee from the Illinois Police Benevolent and Protective Association, (6) one designee from the Illinois Association of Chiefs of Police, (7) one designee from the state chapter of the National Alliance for the Mentally Ill, and (8) such other members as the chair may designate; and be it further

RESOLVED, That members of this Task Force shall serve without compensation; and be it further

RESOLVED, The Board shall, after consideration of the report of the Task Force, submit to the General Assembly for its consideration, no later than April 1, 2007, its recommendation for a standardized Use of Force Model for utilization of Electro-Muscular Disruption technology and for the training of law enforcement and correctional officers in Illinois in utilizing such devices; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Illinois Law Enforcement Training Standards Board.

Senator W. Jones offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 878

WHEREAS, The 50th Anniversary of the Hungarian Revolution began on October 23, 1956; the sacrifices of the brave Hungarian Freedom Fighters and the great contributions of Hungarian-Americans in Illinois reaffirm the friendship between the people and governments of the United States and Hungary; and

WHEREAS, On October 23, 1956, hundreds of thousands of Hungarians from all walks of life would join university students in a peaceful call for democracy and an end to the brutal and oppressive Soviet-dominated Hungarian communist government; and

WHEREAS, Peaceful protestors were fired upon by the Hungarian Security Police killing hundreds and triggering the bloody fight for freedom and democracy and causing the first tear in the Iron Curtain; and

WHEREAS, The Hungarian Freedom Fighters, students, workers, men, women and children, who rose up against impossible odds and risked their lives to take part in their noble fight for freedom and democracy, were able to establish a revolutionary government that released political prisoners, including major church leaders, took steps to establish a multi-party democracy, called for the withdrawal of all Soviet troops from Hungary, announced Hungary's withdrawal from the Warsaw Pact, and requested United Nations assistance in establishing Hungarian neutrality; and

WHEREAS, The Soviet Union launched a massive military counteroffensive against the revolt, sending tens of thousands of additional troops from the Soviet Union and launched air strikes, artillery bombardments, and coordinated tank-infantry actions involving some 6,000 tanks which, remarkably, the outnumbered and under-equipped Hungarian Army and Hungarian Freedom Fighters resisted for

[November 14, 2006]

several days; and

WHEREAS, Prime Minister Imre Nagy was seized by Soviet security forces, despite assurances of safe passage for him to leave the Yugoslav Embassy in Budapest where he sought asylum, was taken to Rumania and subsequently tried and executed; and

WHEREAS, Thousands of Hungarians were tortured, tried, and executed by the post-1956 Hungarian government; and

WHEREAS, More than 200,000 Hungarians fled their country in the aftermath of the Soviet suppression of the Hungarian uprising, and over 47,000 of these people eventually were able to settle in the United States where they have contributed greatly to the intellectual strength, cultural diversity, and the economic might of this country; and

WHEREAS, The uprising of the Hungarian people in 1956 dramatically confirmed the widespread contempt in which the Hungarians held the Soviet Union and the underlying weakness of the communist system imposed by Soviet authorities in Central and Eastern Europe, as well as the strength of popular support for democratic principles and the right of the Hungarian people to determine their own national destiny; and

WHEREAS, The 1956 Hungarian Revolution unmasked the true nature of the Soviet system, contributing to the disintegration of communist parties in the West and across the globe; and

WHEREAS, The Hungarians in 1989 dismantled the Iron Curtain and permitted East Germans safe passage to the West, actions that led to the fall of the Berlin Wall; and

WHEREAS, On October 23, 1989, the Republic of Hungary proclaimed its independence, and in 1990 the Hungarian Parliament officially designated October 23 as a Hungarian national holiday, indicating that the legacy of the 1956 Revolution continues to inspire Hungarians to this day; and

WHEREAS, On March 12, 1999, the Government of Hungary, reflecting the will of the Hungarian people, acceded to the North Atlantic Treaty and became a member of NATO and on May 1, 2004; Hungary then became a full member of the European Union; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, we commend the people of Hungary as they mark the 50th anniversary of the 1956 Hungarian Revolution which set the stage for the ultimate collapse of communism in 1989 throughout Central and Eastern Europe, including Hungary, and two years later in the Soviet Union itself, and therefore it is fitting and appropriate to proclaim October 23, 2006, as "Hungarian Freedom Day" with appropriate ceremonies and activities; and be it further

RESOLVED, That we expresses thanks to the freedom fighters for their bravery in the face of insurmountable odds, many of whom sacrificed their lives for freedom, and to those refugees that brought their talents, skills, and love of freedom and helped build a stronger America; we express our condolences to the people of Hungary and the families who lost loved ones in the fight for Hungarian freedom and independence in 1956 and those executed by the Soviet and Hungarian communist authorities in the five years following the Revolution; we congratulate the American Hungarian Federation, founded in 1906, which played a key role in the resettlement of Hungarian refugees and in illuminating the abuses of the post-1956 Hungarian government, and whose members, many of whom are 1956 Freedom Fighters, continue to work toward promoting freedom and democracy, on its centennial anniversary; we reaffirm the friendship and cooperative relations between the governments of Hungary and the United States and between the Hungarian and American people; we encourage the Governor to issue a proclamation calling upon the people of Illinois to observe "Hungarian Freedom Day" with appropriate ceremonies and activities; and be it further

RESOLVED, That a suitable copy of this resolution be presented to those who continue to promote freedom and democracy in Hungary.

[November 14, 2006]

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

SENATE JOINT RESOLUTION NO. 92

WHEREAS, The University of Illinois was chartered in 1867 as a public, land-grant institution to develop the State's capacities in agriculture and industry, and the university has grown to become one of the country's premier public higher education institutions for public service and for teaching and research across academic disciplines; and

WHEREAS, A primary goal of public universities is to provide broad public access to affordable, high-quality, post-secondary education and training; and

WHEREAS, The State of Illinois has appropriated more than \$700 million to the University of Illinois system for fiscal year 2007; the system regularly receives in excess of \$80 million annually in State grants and contracts, and these public funds are generated by taxes paid by individuals who live and work in the State; and

WHEREAS, The University of Illinois, as the State's flagship university, is the only public Illinois institution of higher learning ranked as "more selective" by U.S. News & World Report, meaning that acceptance to the university generally requires strong performance on standardized tests and an impressive class ranking, but that these factors alone cannot secure admission; and

WHEREAS, Illinois has for decades been a net exporter of college students, and students who attend colleges and universities out-of-state are less likely to live in Illinois after graduation and to contribute to Illinois's economy through increased tax revenues and participation in an educated workforce; and

WHEREAS, University of Illinois officials have recently announced a new strategic plan that includes decreasing total enrollment while increasing the percentage of incoming freshmen who are out-of-state residents, thereby further decreasing the number of qualified in-state students who may enroll at the State's already-competitive flagship university; 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 a Joint Task Force on Resident Student Enrollment for the purpose of reviewing the University of Illinois's proposed change in enrollment policies and determining the benefits or drawbacks to the State of enacting these new policies; and be it further

RESOLVED, That the task force shall consider the economic and social benefits that the State of Illinois could stand to reap by retaining Illinois residents as higher education students or by importing out-of-state students to our universities and colleges, as well as examine whether adequate alternatives exist for in-state students who will now face increased competition for spots in the University of Illinois's freshman class; and be it further

RESOLVED, That the President of the Senate, the Speaker of the House, the Minority Leader of the Senate, and the Minority Leader of the House shall each appoint no more than four members of the General Assembly to serve on the Joint Task Force on Resident Student Enrollment, which members shall serve on a voluntary basis and must not be responsible for any costs associated with their participation in the task force; and be it further

RESOLVED, That the task force shall meet as necessary and shall report its findings to the General Assembly by filing copies of its report with the Secretary of the Senate and the Clerk of the House no later than March 15, 2007; and that upon filing its report the task force is dissolved; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President and the Board of Trustees of the University of Illinois and to the Board of Higher Education.

[November 14, 2006]

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

SENATE JOINT RESOLUTION NO. 94

WHEREAS, The State Board of Education has filed its Report on Waiver of School Code Mandates, dated September 29, 2006, 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-FOURTH 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 Collins offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 95

WHEREAS, On September 16, 2005 at the World Summit Outcome of the United Nations General Assembly, the United States of America and the other Members of the United Nations embraced the principle of the responsibility to protect according to which, "(e)ach individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability" (U.N. Document A/RES/60/1, par. 138 (2005)); and

WHEREAS, The United States of America and other Members of the United Nations further agreed that, "(t)he international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. . . . We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out" (U.N. Document A/RES/60/1, par. 139 (2005)); and

WHEREAS, On April 28, 2006, the United Nations Security Council reaffirmed the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity (U.N. Document S/RES/1674 (2006), par. 4); and

WHEREAS, The principle of the responsibility to protect now reflects the commitment of all the Members of the United Nations to determine means to protect populations from the deadly and devastating consequences of genocide, war crimes, ethnic cleansing and crimes against humanity (hereinafter "atrocities crimes"); and

WHEREAS, Efforts by the United Nations and individual nations to prevent and respond to atrocity crimes and thus protect populations have far too often failed or not even been attempted, with the result since 1945 that millions of innocent civilians have lost their lives or been wounded or displaced and their

[November 14, 2006]

property and livelihoods destroyed; and

WHEREAS, In the 2005 World Summit Outcome Document, the United States of America has accepted its responsibility to protect its own population from atrocity crimes and should continue acting in accordance with this principle; and

WHEREAS, The continued commission of atrocity crimes and the likely future threat of them is morally intolerable and unacceptable; and

WHEREAS, At other times in the history of the State of Illinois and of the United States, such abominations as slavery and the denial of basic civil and voting rights to all citizens have been rendered illegal and to significant degrees eliminated through the concerted actions of concerned citizens, civil society, the courts, and state and national lawmakers and leaders; and

WHEREAS, In the State of Illinois there reside many citizens who have fled from atrocity crimes, for whom the State of Illinois provides services and various forms of support, and many thousands of relatives of victims of the atrocity crimes that have occurred in other countries and who seek effective policies by the United States and other nations to help protect their surviving relatives; and

WHEREAS, The moral imperative of the responsibility to protect is inescapable and it reflects the highest American values of freedom, humanitarian care, and the preservation of the lives of innocent non-combatant men, women, and children; and

WHEREAS, The United States of America, as the most powerful and influential country in the world, has the moral duty and capacity to lead in domestic, in multinational initiatives and in the United Nations Security Council to prevent and respond rapidly to protect populations from the commission of atrocity crimes; and

WHEREAS, The citizens of the State of Illinois contribute men and women and financial resources to the U.S. Armed Forces and elect Members of Congress and, with other states, the President and Vice-President of the United States, and strongly believe that these public officials and their subordinates have profound responsibilities, to use every possible legal means, under both federal and international law, to protect populations from atrocity crimes; 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 the President and Congress should commit the leadership of the United States Government to effective implementation of the World Summit Outcome declaration on the responsibility to protect, and to do so in part through strengthening the preventive early warning capabilities of the federal government and the United Nations, and to develop strategies and policies as outlined in the 2005 World Summit Outcome Document (U.N. Document A/RES/60/1) and in the Security Council Resolution 1674 (2006) to ensure that the responsibility to protect populations has both credible meaning and effect, and that the United States is in the forefront of its domestic and global application; and be it further

RESOLVED, That the President should initiate discussions with the permanent and non-permanent members of the United Nations Security Council, the members of the United Nations General Assembly and in separate forums with the governments of the North Atlantic Treaty Organization, the European Union, the African Union, the Organization of American States, and the Association of Southeast Asian Nations respectively, to develop coordinated strategies for regional efforts to implement the responsibility to protect, and that Congress should express its full support for these discussions by joint resolution; and be it further

RESOLVED, That copies of this resolution be sent to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Illinois congressional delegation, the President and Vice-President of the United States, the U.S. Secretary of State, the U.S. Secretary of Defense, and the U.S. Permanent Representative to the United Nations.

[November 14, 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. 129

WHEREAS, The residents of Big Island have announced their plan to improve the corridor of Big Island; and

WHEREAS, Blackhawk Township on April 4, 2006 adopted a resolution to change the name of Big Island Road to Big Island Parkway on the portion of Big Island Road maintained by Blackhawk Township; and

WHEREAS, The Supervisor and Road Commissioner of Blackhawk Township have requested that the remaining portion of Big Island Road, maintained by the Illinois Department of Transportation, also be renamed Big Island Parkway; 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 the portion of Big Island Road maintained by the Illinois Department of Transportation be renamed Big Island Parkway; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation, to Blackhawk Township Supervisor Charles Layer, and to Blackhawk Township Road Commissioner Douglas House.

Adopted by the House, May 4, 2006.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 129 was referred to the Committee on Rules.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 782, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

At the hour of 1:37 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 6:00 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

[November 14, 2006]

REPORTS FROM STANDING COMMITTEES

Senator Lightford, Chairperson of the Committee on Education, 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 Amendments 2 and 3 to Senate Bill 2762; Motion to Concur in House Amendments 1 and 2 to Senate Bill 2796

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

Senator Crotty, Chairperson of the Committee on Local Government, 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 2 to Senate Bill 611; Motion to Concur in House Amendment 5 to Senate Bill 2664

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

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred the Motion to Recede from Senate Amendments to the following House Bill, reported that the Committee recommends do adopt:

Motion to Recede from Senate Amendments 1 and 2 to House Bill 4173

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

Senator Martinez, Vice-Chairperson of the Committee on Housing & Community Affairs, 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 2772

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 Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1 and 2 to Senate Bill 2185; Motion to Concur in House Amendment 1 to Senate Bill 3088

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

Senator Forby, Chairperson of the Committee on Labor, to which was referred the following Senate floor amendment, reported that the Committee recommends that it be adopted:

Senate Floor Amendment No. 1 to Senate Bill 1275

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

MOTIONS IN WRITING

Senator Silverstein submitted the following Motion in Writing:

MOTION

I move that Senate Bill 185 do pass, notwithstanding the veto of the Governor.

Date: November 14, 2006

s/Ira Silverstein
Senator

Senator Sandoval submitted the following Motion in Writing:

MOTION

I move that Senate Bill 2255 do pass, notwithstanding the veto of the Governor.

Date: August 28, 2006

s/Martin A. Sandoval
Senator

Senator Cullerton submitted the following Motion in Writing:

MOTION

I move that Senate Bill 2445 do pass, notwithstanding the specific recommendations of the Governor.

Date: November 13, 2006

s/John J. Cullerton
Senator

Senator Shadid submitted the following Motion in Writing:

MOTION

I move that Senate Bill 2477 do pass, notwithstanding the specific recommendations of the Governor.

Date: November 14, 2006

s/George P. Shadid
Senator

The foregoing Motions in Writing were filed with the Secretary and placed on the Senate Calendar.

At the hour of 6:05 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, November 15, 2006, at 12:00 o'clock noon.