

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

16TH LEGISLATIVE DAY

THURSDAY, MARCH 22, 2001

11:30 O'CLOCK A.M.

No. 16  
[Mar. 22, 2001]

The Senate met pursuant to adjournment.  
 Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.  
 Prayer by Reverend Keith L. Warner, Modesto Christian Church,  
 Modesto, Illinois.

Senator Radogno led the Senate in the Pledge of Allegiance.

Senator W. Jones moved that reading and approval of the Journals of Tuesday, March 20, 2001 and Wednesday, March 21, 2001 be postponed pending arrival of the printed Journals.

The motion prevailed.

#### REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

A report on the activity of all funds received into the Social Services Block Grant Fund through the quarter ending September 30, 2000, submitted by the Department of Human Services in accordance with relevant provisions of Illinois Revised Statutes, Chapter 305, Act 5, Paragraph 12-5, as amended.

The 2000 Annual Report, Impact Incarceration Program, submitted by the Department of Corrections as required in Chapter 730 ILCS 5/5-8-1.1.

The 2000 report on Illinois Alzheimer's Disease Assistance Plan submitted by the Department of Public Health pursuant to Public Acts 84-378 and 84-513.

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 Amendment No. 1 to Senate Bill 862

#### EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

#### REPORTS FROM STANDING COMMITTEES

Senator Klemm, Chairperson of the Committee on Executive to which was referred Senate Bills numbered 222, 257, 269, 517, 657, 1032, 1168 and 1169 reported the same back with the recommendation that the bills do pass.

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

Senator Klemm, Chairperson of the Committee on Executive to which was referred Senate Bills numbered 16, 118, 902, 921, 926 and 1150 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Lauzen, Chairperson of the Committee on Commerce and Industry to which was referred Senate Bill No. 969 reported the same back with the recommendation that the bill do pass.

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

Senator Lauzen, Chairperson of the Committee on Commerce and Industry to which was referred Senate Bills numbered 717 and 868 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Burzynski, Chairperson of the Committee on Licensed Activities to which was referred Senate Bill No. 571 reported the same back with the recommendation that the bill do pass.

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

Senator Burzynski, Chairperson of the Committee on Licensed Activities to which was referred Senate Bills numbered 843 and 1152 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Peterson, Chairperson of the Committee on Revenue to which was referred Senate Bills numbered 52, 207, 449, 539, 540, 617, 984, 1171 and 1285 reported the same back with the recommendation that the bills do pass.

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

Senator Peterson, Chairperson of the Committee on Revenue to which was referred Senate Bills numbered 88, 730, 1117 and 1135 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator T. Walsh, Chairperson of the Committee on State Government Operations to which was referred Senate Bills numbered 824, 833, 846, 859, 875, 876, 881, 900, 914 and 1172 reported the same back with the recommendation that the bills do pass.

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

Senator T. Walsh, Chairperson of the Committee on State Government Operations to which was referred Senate Bill No. 931 reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

#### HOUSE BILL NO. 2

A bill for AN ACT in relation to alternate fuels.

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HOUSE BILL NO. 180  
 A bill for AN ACT in relation to vehicles.  
 HOUSE BILL NO. 328  
 A bill for AN ACT in relation to State government.  
 HOUSE BILL NO. 831  
 A bill for AN ACT concerning criminal law.  
 HOUSE BILL NO. 1064  
 A bill for AN ACT in relation to public employee benefits.  
 HOUSE BILL NO. 1696  
 A bill for AN ACT concerning natural resources.  
 HOUSE BILL NO. 1972  
 A bill for AN ACT concerning library districts.  
 HOUSE BILL NO. 2011  
 A bill for AN ACT in relation to identification.  
 HOUSE BILL NO. 2301  
 A bill for AN ACT in relation to families.  
 HOUSE BILL NO. 3105  
 A bill for AN ACT concerning telecommunications.

Passed the House, March 21, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 2, 180, 328, 831, 1064, 1696, 1972, 2011, 2301 and 3105 were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 173  
 A bill for AN ACT concerning conservation.  
 HOUSE BILL NO. 267  
 A bill for AN ACT in relation to public employee benefits.  
 HOUSE BILL NO. 390  
 A bill for AN ACT concerning forest preserve districts.  
 HOUSE BILL NO. 509  
 A bill for AN ACT concerning taxation.  
 HOUSE BILL NO. 583  
 A bill for AN ACT concerning higher education scholarships.  
 HOUSE BILL NO. 795  
 A bill for AN ACT concerning education.  
 HOUSE BILL NO. 1985  
 A bill for AN ACT in relation to public aid.  
 HOUSE BILL NO. 2088  
 A bill for AN ACT in relation to sexually violent persons.  
 HOUSE BILL NO. 2218  
 A bill for AN ACT in relation to vehicles.  
 HOUSE BILL NO. 3055  
 A bill for AN ACT in relation to children.

Passed the House, March 21, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 173, 267, 390, 509, 583, 795, 1985, 2088, 2218 and 3055 were taken up, ordered printed and placed on first reading.

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A message from the House by  
 Mr. Rossi, Clerk:  
 Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 183  
 A bill for AN ACT regarding taxes.  
 HOUSE BILL NO. 269  
 A bill for AN ACT in relation to alcoholic liquor.  
 HOUSE BILL NO. 659  
 A bill for AN ACT in relation to long-term care planning.  
 HOUSE BILL NO. 1918  
 A bill for AN ACT in relation to taxation.  
 HOUSE BILL NO. 1958  
 A bill for AN ACT in relation to vehicles.  
 HOUSE BILL NO. 2143  
 A bill for AN ACT concerning education.  
 HOUSE BILL NO. 2199  
 A bill for AN ACT concerning taxes.  
 HOUSE BILL NO. 2314  
 A bill for AN ACT in relation to criminal law.  
 HOUSE BILL NO. 2994  
 A bill for AN ACT concerning insurance producers.  
 HOUSE BILL NO. 3113  
 A bill for AN ACT relating to higher education student assistance.

Passed the House, March 21, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 183, 269, 659, 1918, 1958, 2143, 2199, 2314, 2994 and 3113 were taken up, ordered printed and placed on first reading.

A message from the House by  
 Mr. Rossi, Clerk:  
 Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 700  
 A bill for AN ACT concerning wildlife.  
 HOUSE BILL NO. 889  
 A bill for AN ACT in relation to civil procedure.  
 HOUSE BILL NO. 1929  
 A bill for AN ACT in relation to child care.  
 HOUSE BILL NO. 2140  
 A bill for AN ACT in relation to criminal law.  
 HOUSE BILL NO. 2247  
 A bill for AN ACT in relation to fire inspectors.  
 HOUSE BILL NO. 2294  
 A bill for AN ACT concerning criminal law.  
 HOUSE BILL NO. 2378  
 A bill for AN ACT in relation to taxes.  
 HOUSE BILL NO. 2412  
 A bill for AN ACT in relation to alcoholic liquor.  
 HOUSE BILL NO. 3314

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A bill for AN ACT in relation to criminal law.

HOUSE BILL NO. 3336

A bill for AN ACT concerning public moneys.

HOUSE BILL NO. 3574

A bill for AN ACT concerning carnival and amusement rides.

Passed the House, March 21, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 700, 889, 1929, 2140, 2247, 2294, 2378, 2412, 3314, 3336 and 3574 were taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Rossi, 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. 9

WHEREAS, The Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including 19 of the 20 Illinois members of the United States House of Representatives; and

WHEREAS, More than 80 United States Senators, including both Illinois Senator Richard Durbin and Illinois Senator Peter Fitzgerald, signed letters of support for this legislation in 2000; and

WHEREAS, The bill, now before the 107th Congress, modernizes the railroad retirement system for its 748,000 beneficiaries nationwide, including nearly 50,000 in Illinois; and

WHEREAS, Railroad management, labor, and retiree organizations have agreed to support this legislation; and

WHEREAS, This legislation provides tax relief to freight railroads, Amtrak, and commuter lines; and

WHEREAS, This legislation provides benefit improvements for surviving spouses of rail workers who currently suffer deep cuts in income when the rail retiree dies; and

WHEREAS, No outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

WHEREAS, All changes will be paid for from within the railroad industry, including a full share by active employees; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the General Assembly urges the United States Congress to support the Railroad Retirement and Survivors Improvement Act in the 107th Congress; and be it further

RESOLVED, That copies of this resolution be delivered to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and all members of the Illinois congressional delegation.

Adopted by the House, March 21, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing message from the House of Representatives, reporting House Joint Resolution No. 9, was referred to the

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Committee on Rules.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 87

Offered by Senator Lauzen and all Senators:  
Mourns the death of Thomas Cekay of St. Charles.

The foregoing resolution was referred to the Resolutions Consent Calendar.

REPORTS FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its March 22, 2001 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: Senate Amendment No. 1 to Senate Bill 330.  
Insurance and Pensions: Senate Amendment No. 1 to Senate Bill 1254.  
Judiciary: Senate Amendment No. 1 to Senate Bill 430.  
Local Government: Senate Amendment No. 1 to Senate Bill 664;  
Senate Amendment No. 1 to Senate Bill 980.  
Revenue: Senate Amendment No. 1 to Senate Bill 1116.  
Transportation: Senate Amendment No. 1 to Senate Bill 602.

Senator Weaver, Chairperson of the Committee on Rules, reported that the following Legislative Measures have been approved for consideration:

Senate Amendment No. 1 to Senate Bill 528  
Senate Amendment No. 1 to Senate Bill 912

The foregoing floor amendments were placed on the Secretary's Desk.

At the hour of 12:00 o'clock noon, Senator Dudycz presiding.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator O'Malley, Senate Bill No. 3 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 3 by replacing the title with the following:

"AN ACT to create the Drug or Alcohol Impaired Minor Responsibility Act."; and

by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Drug or Alcohol Impaired Minor Responsibility Act.

Section 5. Responsibility of person who supplies alcoholic liquor or illegal drugs to a person under 18 years of age.

(a) Any person at least 18 years of age who willfully supplies

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alcoholic liquor or illegal drugs to a person under 18 years of age and causes the impairment of such person shall be liable for death or injuries to persons or property caused by the impairment of such person.

(b) A person, or the surviving spouse and next of kin of any person, who is injured, in person or property, by an impaired person under the age of 18, and a person under age 18 who is injured in person or property by an impairment that was caused by alcoholic liquor or illegal drugs that were willfully supplied by a person over 18 years of age, has a right of action in his or her own name, jointly and severally, for damages (including reasonable attorney's fees and expenses) against any person:

(i) who, by willfully selling, giving, or delivering alcoholic liquor or illegal drugs, causes or contributes to the impairment of the person under the age of 18; or

(ii) who, by willfully permitting consumption of alcoholic liquor or illegal drugs on premises owned or controlled by the person over the age of 18, causes or contributes to the impairment of the person under the age of 18.

(c) An action for damages under this Section is barred unless commenced within 2 years after the right of action arises.

Section 10. A person entitled to bring an action under this Act may recover all of the following damages:

(1) economic damages, including, but not limited to, the cost of treatment and rehabilitation, medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, support expenses, accidents or injury and any other pecuniary loss proximately caused by the impairment of the person under the age of 18;

(2) non-economic damages, including, but not limited to, physical and emotional pain, suffering, physical impairment, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, and consortium, and other non-pecuniary losses proximately caused by the impairment of the person under the age 18;

(3) reasonable attorneys' fees;

(4) costs of suit, including, but not limited to, reasonable expenses for expert testimony; and

(5) punitive damages in an amount that is not less than treble the amount of economic and non-economic damages.

Section 15. Applicability. A person may not bring an action under this Act against a licensee or an officer, associate, member, representative, agent, or employee of a licensee under the Liquor Control Act of 1934 who supplies alcoholic liquor to a person under 21 years of age for that act if the licensee or officer, associate, member, representative, agent, or employee of the licensee complied with all applicable provisions of the Liquor Control Act of 1934.

Section 20. Insurance coverage. There shall be no coverage for liability created under this Act under any applicable homeowner's insurance policy.

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

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

On motion of Senator O'Malley, Senate Bill No. 5 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on

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Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 5 as follows:  
 on page 1, line 19, after "Act", by inserting the following:  
"all persons who have been convicted of a felony under the laws of this State or any other jurisdiction who possess any weapon prohibited under Section 24-1 of the Criminal Code of 1961 or any firearm or any firearm ammunition,"; and  
 on page 2, line 18, by replacing "5.541" with "5.545"; and  
 on page 2, by deleting lines 21 through 30; and  
 by deleting all of pages 3, 4, 5, 6, and 7; and  
 on page 8, by deleting lines 1 through 6.

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

On motion of Senator Cullerton, Senate Bill No. 24 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 24 on page 1, line 25 by inserting after "education" the following:  
"(or that the parties are exempt from the pre-marital education requirement); and  
 on page 3, line 15 by changing "an official" to "a designated"; and  
 on page 4, by inserting after line 13 the following:  
"If both of the parties are at least 55 years of age:  
(i) the requirements of this subsection (b) do not apply to them; and  
(ii) the county clerk shall issue a license to marry without delay if they have complied with the applicable requirements of subsection (a)."

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

On motion of Senator Dillard, Senate Bill No. 32 having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 32 by replacing everything after the enacting clause with the following:

"Section 5. The North Shore Sanitary District Act is amended by changing Section 11 as follows:

(70 ILCS 2305/11) (from Ch. 42, par. 287)

Sec. 11. Except as otherwise provided in this Section, all contracts for purchases or sales by the municipality, the expense of which will exceed 40,000, ~~\$10,000~~, shall be let to the lowest responsible bidder therefor upon not less than 14 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in the district, and the board may reject any and all bids and readvertise. In determining the lowest responsible

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bidder, the board shall take into consideration the qualities and serviceability of the articles supplied, their conformity with specifications, their suitability to the requirements of the district, the availability of support services, the uniqueness of the service, materials, equipment, or supplies as it applies to network integrated computer systems, the compatibility of the service, materials, equipment or supplies with existing equipment, and the delivery terms. Contracts for services in excess of \$40,000 \$10,000 may, subject to the provisions of this Section, be let by competitive bidding at the discretion of the district board of trustees. All contracts for purchases or sales of \$40,000 \$10,000 or less may be made in the open market without publication in a newspaper as above provided, but whenever practical shall be based on at least 3 competitive bids. Cash, a cashier's check, a certified check, or a bid bond with adequate surety approved by the board of trustees as a deposit of good faith, in a reasonable amount, but not in excess of 10% of the contract amount, may be required of each bidder by the district on all bids involving amounts in excess of \$40,000 and, if so required, the advertisement for bids shall so specify.

Contracts which by their nature are not adapted to award by competitive bidding, including, without limitation, contracts for the services of individuals, groups or firms possessing a high degree of professional skill where the ability or fitness of the individual or organization plays an important part, contracts for financial management services undertaken pursuant to "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended, contracts for the purchase or sale of utilities, contracts for materials economically procurable only from a single source of supply, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases of equipment previously owned by an entity other than the district itself, and leases of real property where the sanitary district is the lessee shall not be subject to the competitive bidding requirements of this Section.

The competitive bidding requirements of this Section do not apply to contracts for construction of a facility or structure for the district when the facility or structure will be designed, built, and tested before being conveyed to the district.

In the case of an emergency affecting the public health or safety so declared by the Board of Trustees of the municipality at a meeting thereof duly convened, which declaration shall require the affirmative vote of four of the five Trustees elected, and shall set forth the nature of the danger to the public health or safety, contracts totaling not more than the emergency contract cap \$75,000 may be let to the extent necessary to resolve such emergency without public advertisement or competitive bidding. For purposes of this Section, the "emergency contract cap" is a dollar amount equal to 0.4% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the emergency contract cap dollar amount be less than \$75,000 or more than \$250,000. The Resolution or Ordinance in which such declaration is embodied shall fix the date upon which such emergency shall terminate which date may be extended or abridged by the Board of Trustees as in their judgment the circumstances require. A full written account of any such emergency, together with a requisition for the materials, supplies, labor or equipment required therefor

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shall be submitted immediately upon completion and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase.

To address operating emergencies not affecting the public health or safety, the Board of Trustees shall authorize, in writing, officials or employees of the sanitary district to purchase in the open market and without advertisement any supplies, materials, equipment, or services for immediate delivery to meet the bona fide operating emergency, without filing a requisition or estimate therefor, in an amount not in excess of \$40,000; provided that the Board of Trustees must be notified of the operating emergency. A full, written account of each operating emergency and a requisition for the materials, supplies, equipment, and services required to meet the operating emergency must be immediately submitted by the officials or employees authorized to make purchases to the Board of Trustees. The account must be available for public inspection for a period of at least one year after the date of the operating emergency purchase. The exercise of authority with respect to purchases for a bona fide operating emergency is not dependent on a declaration of an operating emergency by the Board of Trustees.

No Trustee shall be interested, directly or indirectly, in any contract, work or business of the municipality, or in the sale of any article, whenever the expense, price or consideration of the contract work, business or sale is paid either from the treasury or by any assessment levied by any Statute or Ordinance. No Trustee shall be interested, directly or indirectly, in the purchase of any property which (1) belongs to the municipality, or (2) is sold for taxes or assessments of the municipality, or (3) is sold by virtue of legal process in the suit of the municipality.

A contract for any work or other public improvement, to be paid for in whole or in part by special assessment or special taxation, in all other respects such contracts shall be entered into and the performance thereof controlled by the provisions of Division 2 of Article 9 of the "Illinois Municipal Code", approved May 29, 1961, as heretofore or hereafter amended, as near as may be. However, contracts may be let for making proper and suitable connections between the mains and outlets of the respective sanitary sewers in the district with any conduit, conduits, main pipe or pipes that may be constructed by such sanitary district.  
(Source: P.A. 91-921, eff. 1-1-01.)

Section 10. The Sanitary District Act of 1917 is amended by changing Section 11 as follows:

(70 ILCS 2405/11) (from Ch. 42, par. 310)

Sec. 11. Except as otherwise hereinafter provided, all contracts for purchases or sales by a sanitary district organized under this Act, the expense of which will exceed ~~\$40,000~~ \$10,000, shall be let to the lowest responsible bidder therefor upon not less than 14 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in the district, and the board may reject any and all bids, and readvertise. In determining the lowest responsible bidder, the board shall take into consideration the qualities and serviceability of the articles supplied, their conformity with specifications, their suitability to the requirements of the district, the availability of support services, the uniqueness of the service, materials, equipment, or supplies as it applies to network integrated computer systems, the compatibility of the service, materials, equipment or supplies with existing equipment, and the delivery terms. Contracts for services in excess of ~~\$40,000~~ \$10,000 may, subject to the provisions of this Section, be let by competitive

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bidding at the discretion of the district board of trustees. Cash, a cashier's check, a certified check, or a bid bond with adequate surety approved by the board of trustees as a deposit of good faith, in a reasonable amount, but not in excess of 10% of the contract amount, may be required of each bidder by the district on all bids involving amounts in excess of \$40,000 and, if so required, the advertisement for bids shall so specify.

All contracts for purchases or sales of \$40,000 \$10,000 or less may be made in the open market without publication in a newspaper as above provided, but whenever practical shall be based on at least 3 competitive bids.

Contracts which by their nature are not adapted to award by competitive bidding, including, without limitation, contracts for the services of individuals, groups or firms possessing a high degree of professional skill where the ability or fitness of the individual or organization plays an important part, contracts for financial management services undertaken pursuant to "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended, contracts for the purchase or sale of utilities, contracts for materials economically procurable only from a single source of supply, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases of equipment previously owned by an entity other than the district itself, and leases of real property where the sanitary district is the lessee shall not be subject to the competitive bidding requirements of this Section.

The competitive bidding requirements of this Section do not apply to contracts for construction of a facility or structure for the sanitary district when the facility or structure will be designed, built, and tested before being conveyed to the sanitary district.

The competitive bidding requirements of this Section do not apply to contracts, including contracts for both materials and services incidental thereto, for the repair or replacement of a sanitary district's treatment plant, sewers, equipment, or facilities damaged or destroyed as the result of a sudden or unexpected occurrence, including, but not limited to, a flood, fire, tornado, earthquake, storm, or other natural or man-made disaster, if the board of trustees determines in writing that the awarding of those contracts without competitive bidding is reasonably necessary for the sanitary district to maintain compliance with a permit issued under the National Pollution Discharge Elimination System (NPDES) or any successor system or with any outstanding order relating to that compliance issued by the United States Environmental Protection Agency, the Illinois Environmental Protection Agency, or the Illinois Pollution Control Board. The authority to issue contracts without competitive bidding pursuant to this paragraph expires 6 months after the date of the writing determining that the awarding of contracts without competitive bidding is reasonably necessary.

Where the board of trustees declares, by a 2/3 vote of all members of the board, that there exists an emergency affecting the public health or safety, contracts totaling not more than the emergency contract cap \$40,000 may be let to the extent necessary to resolve such emergency without public advertisement or competitive bidding. For purposes of this Section, the "emergency contract cap" is a dollar amount equal to 0.4% of the total general fixed assets of the district as reported in the most recent required audit report. In

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no event, however, shall the emergency contract cap dollar amount be less than \$40,000 or more than \$250,000. The ordinance or resolution embodying the emergency declaration shall contain the date upon which such emergency will terminate. The board of trustees may extend the termination date if in its judgment the circumstances so require. A full written account of the emergency, together with a requisition for the materials, supplies, labor or equipment required therefor shall be submitted immediately upon completion and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase.

A contract for any work or other public improvement, to be paid for in whole or in part by special assessment or special taxation, in all other respects such contract shall be entered into and the performance thereof controlled by Division 2 of Article 9 of the "Illinois Municipal Code", approved May 29, 1961, as heretofore and hereafter amended, as near as may be. The contracts may be let for making proper and suitable connections between the mains and outlets of the respective sewers in the district with any conduit, conduits, main pipe or pipes that may be constructed by such sanitary district. (Source: P.A. 88-542, eff. 5-27-94; 88-572, eff. 8-11-94; 89-235, eff. 8-4-95; 89-558, eff. 7-26-96.)

Section 15. The Sanitary District Act of 1936 is amended by changing Section 14 as follows:

(70 ILCS 2805/14) (from Ch. 42, par. 425)

Sec. 14. Except as otherwise provided in this Section, all contracts for purchases or sales by the sanitary district, the expense of which will exceed \$40,000 \$10,000, shall be let to the lowest responsible bidder therefor upon not less than 14 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a daily or weekly newspaper published in the district or, if there is no newspaper published in the district, in a newspaper published in the county and having general circulation in the district, and the board may reject any and all bids, and readvertise. Contracts for services in excess of 40,000 \$10,000 may, subject to the provisions of this Section, be let by competitive bidding at the discretion of the district board of trustees. All contracts for purchases or sales of \$40,000 \$10,000 or less may be made in the open market without publication in a newspaper as above provided, but whenever practical shall be based on at least 3 competitive bids. Cash, a cashier's check, a certified check, or a bid bond with adequate surety approved by the board of trustees as a deposit of good faith, in a reasonable amount, but not in excess of 10% of the contract amount, may be required of each bidder by the district on all bids involving amounts in excess of \$40,000 and, if so required, the advertisement for bids shall so specify.

Contracts which by their nature are not adapted to award by competitive bidding, including, without limitation, contracts for the services of individuals, groups or firms possessing a high degree of professional skill where the ability or fitness of the individual or organization plays an important part, contracts for financial management services undertaken pursuant to the Public Funds Investment Act, contracts for the purchase or sale of utilities, contracts for materials economically procurable only from a single source of supply and leases of real property where the sanitary district is the lessee shall not be subject to the competitive bidding requirements of this Section.

The competitive bidding requirements of this Section do not apply to contracts for construction of a facility or structure for the district when the facility or structure will be designed, built, and

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tested before being conveyed to the district.

Where the board of trustees declares, by a 2/3 vote of all members of the board, that there exists an emergency affecting the public health or safety, contracts totaling not more than the emergency contract cap \$40,000 may be let to the extent necessary to resolve such emergency without public advertisement or competitive bidding. For purposes of this Section, the "emergency contract cap" is a dollar amount equal to 0.4% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the emergency contract cap dollar amount be less than \$40,000 or more than \$250,000. The ordinance or resolution embodying the emergency declaration shall contain the date upon which such emergency will terminate. The board of trustees may extend the termination date if in its judgment the circumstances so require. A full written account of the emergency, together with a requisition for the materials, supplies, labor sr equipment required therefor shall be submitted immediately upon completion and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase.

(Source: P.A. 91-547, eff. 8-14-99.)".

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 32, by replacing everything after the enacting clause with the following:

"Section 5. The North Shore Sanitary District Act is amended by changing Section 11 as follows:

(70 ILCS 2305/11) (from Ch. 42, par. 287)

Sec. 11. Except as otherwise provided in this Section, all contracts for purchases or sales by the municipality, the expense of which will exceed the mandatory competitive bid threshold \$10,000, shall be let to the lowest responsible bidder therefor upon not less than 14 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in the district, and the board may reject any and all bids and readvertise. In determining the lowest responsible bidder, the board shall take into consideration the qualities and serviceability of the articles supplied, their conformity with specifications, their suitability to the requirements of the district, the availability of support services, the uniqueness of the service, materials, equipment, or supplies as it applies to network integrated computer systems, the compatibility of the service, materials, equipment or supplies with existing equipment, and the delivery terms. Contracts for services in excess of the mandatory competitive bid threshold \$10,000 may, subject to the provisions of this Section, be let by competitive bidding at the discretion of the district board of trustees. All contracts for purchases or sales that will not exceed the mandatory competitive bid threshold of--\$10,000-or-less may be made in the open market without publication in a newspaper as above provided, but whenever practical shall be based on at least 3 competitive bids. For purposes of this Section, the "mandatory competitive bid threshold" is a dollar amount equal to 0.1% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the mandatory competitive bid threshold dollar amount be less than \$10,000, nor more than \$40,000.

Cash, a cashier's check, a certified check, or a bid bond with adequate surety approved by the board of trustees as a deposit of good faith, in a reasonable amount, but not in excess of 10% of the contract amount, may be required of each bidder by the district on all bids involving amounts in excess of the mandatory competitive bid

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threshold and, if so required, the advertisement for bids shall so specify.

Contracts which by their nature are not adapted to award by competitive bidding, including, without limitation, contracts for the services of individuals, groups or firms possessing a high degree of professional skill where the ability or fitness of the individual or organization plays an important part, contracts for financial management services undertaken pursuant to "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended, contracts for the purchase or sale of utilities, contracts for materials economically procurable only from a single source of supply, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases of equipment previously owned by an entity other than the district itself, and leases of real property where the sanitary district is the lessee shall not be subject to the competitive bidding requirements of this Section.

The competitive bidding requirements of this Section do not apply to contracts for construction of a facility or structure for the district when the facility or structure will be designed, built, and tested before being conveyed to the district.

In the case of an emergency affecting the public health or safety so declared by the Board of Trustees of the municipality at a meeting thereof duly convened, which declaration shall require the affirmative vote of four of the five Trustees elected, and shall set forth the nature of the danger to the public health or safety, contracts totaling not more than the emergency contract cap \$75,000 may be let to the extent necessary to resolve such emergency without public advertisement or competitive bidding. For purposes of this Section, the "emergency contract cap" is a dollar amount equal to 0.4% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the emergency contract cap dollar amount be less than \$40,000, nor more than \$100,000. The Resolution or Ordinance in which such declaration is embodied shall fix the date upon which such emergency shall terminate which date may be extended or abridged by the Board of Trustees as in their judgment the circumstances require. A full written account of any such emergency, together with a requisition for the materials, supplies, labor or equipment required therefor shall be submitted immediately upon completion and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase. Within 30 days after the passage of the resolution or ordinance declaring an emergency affecting the public health or safety, the municipality shall submit to the Illinois Environmental Protection Agency the full written account of any such emergency along with a copy of the resolution or ordinance declaring the emergency, in accordance with requirements as may be provided by rule.

To address operating emergencies not affecting the public health or safety, the Board of Trustees shall authorize, in writing, officials or employees of the sanitary district to purchase in the open market and without advertisement any supplies, materials, equipment, or services for immediate delivery to meet the bona fide operating emergency, without filing a requisition or estimate therefor, in an amount not in excess of \$40,000; provided that the Board of Trustees must be notified of the operating emergency. A

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full, written account of each operating emergency and a requisition for the materials, supplies, equipment, and services required to meet the operating emergency must be immediately submitted by the officials or employees authorized to make purchases to the Board of Trustees. The account must be available for public inspection for a period of at least one year after the date of the operating emergency purchase. The exercise of authority with respect to purchases for a bona fide operating emergency is not dependent on a declaration of an operating emergency by the Board of Trustees.

No Trustee shall be interested, directly or indirectly, in any contract, work or business of the municipality, or in the sale of any article, whenever the expense, price or consideration of the contract work, business or sale is paid either from the treasury or by any assessment levied by any Statute or Ordinance. No Trustee shall be interested, directly or indirectly, in the purchase of any property which (1) belongs to the municipality, or (2) is sold for taxes or assessments of the municipality, or (3) is sold by virtue of legal process in the suit of the municipality.

A contract for any work or other public improvement, to be paid for in whole or in part by special assessment or special taxation, in all other respects such contracts shall be entered into and the performance thereof controlled by the provisions of Division 2 of Article 9 of the "Illinois Municipal Code", approved May 29, 1961, as heretofore or hereafter amended, as near as may be. However, contracts may be let for making proper and suitable connections between the mains and outlets of the respective sanitary sewers in the district with any conduit, conduits, main pipe or pipes that may be constructed by such sanitary district.

(Source: P.A. 91-921, eff. 1-1-01.)

Section 10. The Sanitary District Act of 1917 is amended by changing Section 11 as follows:

(70 ILCS 2405/11) (from Ch. 42, par. 310)

Sec. 11. Except as otherwise hereinafter provided, all contracts for purchases or sales by a sanitary district organized under this Act, the expense of which will exceed the mandatory competitive bid threshold \$10,000, shall be let to the lowest responsible bidder therefor upon not less than 14 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in the district, and the board may reject any and all bids, and readvertise. In determining the lowest responsible bidder, the board shall take into consideration the qualities and serviceability of the articles supplied, their conformity with specifications, their suitability to the requirements of the district, the availability of support services, the uniqueness of the service, materials, equipment, or supplies as it applies to network integrated computer systems, the compatibility of the service, materials, equipment or supplies with existing equipment, and the delivery terms. Contracts for services in excess of the mandatory competitive bid threshold \$10,000 may, subject to the provisions of this Section, be let by competitive bidding at the discretion of the district board of trustees.

Cash, a cashier's check, a certified check, or a bid bond with adequate surety approved by the board of trustees as a deposit of good faith, in a reasonable amount, but not in excess of 10% of the contract amount, may be required of each bidder by the district on all bids involving amounts in excess of the mandatory competitive bid threshold and, if so required, the advertisement for bids shall so specify.

All contracts for purchases or sales that will not exceed the mandatory competitive bid threshold of \$10,000 or less may be made in

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the open market without publication in a newspaper as above provided, but whenever practical shall be based on at least 3 competitive bids. For purposes of this Section, the "mandatory competitive bid threshold" is a dollar amount equal to 0.1% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the mandatory competitive bid threshold dollar amount be less than \$10,000, nor more than \$40,000.

Contracts which by their nature are not adapted to award by competitive bidding, including, without limitation, contracts for the services of individuals, groups or firms possessing a high degree of professional skill where the ability or fitness of the individual or organization plays an important part, contracts for financial management services undertaken pursuant to "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended, contracts for the purchase or sale of utilities, contracts for materials economically procurable only from a single source of supply, contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services, contracts for duplicating machines and supplies, contracts for goods or services procured from another governmental agency, purchases of equipment previously owned by an entity other than the district itself, and leases of real property where the sanitary district is the lessee shall not be subject to the competitive bidding requirements of this Section.

The competitive bidding requirements of this Section do not apply to contracts for construction of a facility or structure for the sanitary district when the facility or structure will be designed, built, and tested before being conveyed to the sanitary district.

The competitive bidding requirements of this Section do not apply to contracts, including contracts for both materials and services incidental thereto, for the repair or replacement of a sanitary district's treatment plant, sewers, equipment, or facilities damaged or destroyed as the result of a sudden or unexpected occurrence, including, but not limited to, a flood, fire, tornado, earthquake, storm, or other natural or man-made disaster, if the board of trustees determines in writing that the awarding of those contracts without competitive bidding is reasonably necessary for the sanitary district to maintain compliance with a permit issued under the National Pollution Discharge Elimination System (NPDES) or any successor system or with any outstanding order relating to that compliance issued by the United States Environmental Protection Agency, the Illinois Environmental Protection Agency, or the Illinois Pollution Control Board. The authority to issue contracts without competitive bidding pursuant to this paragraph expires 6 months after the date of the writing determining that the awarding of contracts without competitive bidding is reasonably necessary.

Where the board of trustees declares, by a 2/3 vote of all members of the board, that there exists an emergency affecting the public health or safety, contracts totaling not more than the emergency contract cap \$40,000 may be let to the extent necessary to resolve such emergency without public advertisement or competitive bidding. For purposes of this Section, the "emergency contract cap" is a dollar amount equal to 0.4% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the emergency contract cap dollar amount be less than \$40,000, nor more than \$100,000. The ordinance or resolution embodying the emergency declaration shall contain the date

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upon which such emergency will terminate. The board of trustees may extend the termination date if in its judgment the circumstances so require. A full written account of the emergency, together with a requisition for the materials, supplies, labor or equipment required therefor shall be submitted immediately upon completion and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase. Within 30 days after the passage of the resolution or ordinance declaring an emergency affecting the public health or safety, the District shall submit to the Illinois Environmental Protection Agency the full written account of any such emergency along with a copy of the resolution or ordinance declaring the emergency, in accordance with requirements as may be provided by rule.

A contract for any work or other public improvement, to be paid for in whole or in part by special assessment or special taxation, in all other respects such contract shall be entered into and the performance thereof controlled by Division 2 of Article 9 of the "Illinois Municipal Code", approved May 29, 1961, as heretofore and hereafter amended, as near as may be. The contracts may be let for making proper and suitable connections between the mains and outlets of the respective sewers in the district with any conduit, conduits, main pipe or pipes that may be constructed by such sanitary district. (Source: P.A. 88-542, eff. 5-27-94; 88-572, eff. 8-11-94; 89-235, eff. 8-4-95; 89-558, eff. 7-26-96.)

Section 15. The Sanitary District Act of 1936 is amended by changing Section 14 as follows:

(70 ILCS 2805/14) (from Ch. 42, par. 425)

Sec. 14. Except as otherwise provided in this Section, all contracts for purchases or sales by the sanitary district, the expense of which will exceed the mandatory competitive bid threshold \$10,000, shall be let to the lowest responsible bidder therefor upon not less than 14 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a daily or weekly newspaper published in the district or, if there is no newspaper published in the district, in a newspaper published in the county and having general circulation in the district, and the board may reject any and all bids, and readvertise. Contracts for services in excess of the mandatory competitive bid threshold \$10,000 may, subject to the provisions of this Section, be let by competitive bidding at the discretion of the district board of trustees. All contracts for purchases or sales that will not exceed the mandatory competitive bid threshold of \$10,000 or less may be made in the open market without publication in a newspaper as above provided, but whenever practical shall be based on at least 3 competitive bids. For purposes of this Section, the "mandatory competitive bid threshold" is a dollar amount equal to 0.1% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the mandatory competitive bid threshold dollar amount be less than \$10,000, nor more than \$40,000.

Cash, a cashier's check, a certified check, or a bid bond with adequate surety approved by the board of trustees as a deposit of good faith, in a reasonable amount, but not in excess of 10% of the contract amount, may be required of each bidder by the district on all bids involving amounts in excess of the mandatory competitive bid threshold and, if so required, the advertisement for bids shall so specify.

Contracts which by their nature are not adapted to award by competitive bidding, including, without limitation, contracts for the services of individuals, groups or firms possessing a high degree of

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professional skill where the ability or fitness of the individual or organization plays an important part, contracts for financial management services undertaken pursuant to the Public Funds Investment Act, contracts for the purchase or sale of utilities, contracts for materials economically procurable only from a single source of supply and leases of real property where the sanitary district is the lessee shall not be subject to the competitive bidding requirements of this Section.

The competitive bidding requirements of this Section do not apply to contracts for construction of a facility or structure for the district when the facility or structure will be designed, built, and tested before being conveyed to the district.

Where the board of trustees declares, by a 2/3 vote of all members of the board, that there exists an emergency affecting the public health or safety, contracts totaling not more than the emergency contract cap \$40,000 may be let to the extent necessary to resolve such emergency without public advertisement or competitive bidding. For purposes of this Section, the "emergency contract cap" is a dollar amount equal to 0.4% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the emergency contract cap dollar amount be less than \$40,000, nor more than \$100,000. The ordinance or resolution embodying the emergency declaration shall contain the date upon which such emergency will terminate. The board of trustees may extend the termination date if in its judgment the circumstances so require. A full written account of the emergency, together with a requisition for the materials, supplies, labor and equipment required therefor shall be submitted immediately upon completion and shall be open to public inspection for a period of at least one year subsequent to the date of such emergency purchase. Within 30 days after the passage of the resolution or ordinance declaring an emergency affecting the public health or safety, the District shall submit to the Illinois Environmental Protection Agency the full written account of any such emergency along with a copy of the resolution or ordinance declaring the emergency, in accordance with requirements as may be provided by rule.  
(Source: P.A. 91-547, eff. 8-14-99.)"

#### AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 32, AS AMENDED, by inserting the following in its proper numeric sequence:

"Section 20. The Metropolitan Water Reclamation District Act is amended by changing Sections 11.3, 11.6, 11.7, 11.10, and 11.13 as follows:

(70 ILCS 2605/11.3) (from Ch. 42, par. 331.3)

Sec. 11.3. Except as provided in Sections 11.4 and 11.5, all purchase orders or contracts involving amounts in excess of the mandatory competitive bid threshold \$10,000 and made by or on behalf of the sanitary district for labor, services or work, the purchase, lease or sale of personal property, materials, equipment or supplies, or the granting of any concession, shall be let by free and open competitive bidding after advertisement, to the lowest responsible bidder or to the highest responsible bidder, as the case may be, depending upon whether the sanitary district is to expend or receive money.

All such purchase orders or contracts which shall involve amounts that will not exceed the mandatory competitive bid threshold of \$10,000--or--less, shall also be let in the manner prescribed above whenever practicable, except that after solicitation of bids, such purchase orders or contracts may be let in the open market, in a

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manner calculated to insure the best interests of the public. The provisions of this section are subject to any contrary provisions contained in "An Act concerning the use of Illinois mined coal in certain plants and institutions", filed July 13, 1937, as heretofore and hereafter amended. For purposes of this Section, the "mandatory competitive bid threshold" is a dollar amount equal to 0.1% of the total general fixed assets of the district as reported in the most recent required audit report. In no event, however, shall the mandatory competitive bid threshold dollar amount be less than \$10,000 or more than \$40,000. The competitive bidding requirements of this Section do not apply to contracts for construction of a facility or structure for the Metropolitan Water Reclamation District of Chicago when the facility or structure will be designed, built, and tested before being conveyed to the district.

Notwithstanding the provisions of this Section, the sanitary district is expressly authorized to establish such procedures as it deems appropriate to comply with state or federal regulations as to affirmative action and the utilization of small and minority businesses in construction and procurement contracts.

(Source: P.A. 83-835.)

(70 ILCS 2605/11.6) (from Ch. 42, par. 331.6)

Sec. 11.6. The head of each department shall notify the purchasing agent of those officers and employees authorized to sign requests for purchases. Requests for purchases shall be void unless executed by an authorized officer or employee and approved by the purchasing agent. Requests for purchases may be executed, approved and signed manually or electronically.

Officials and employees making requests for purchases shall not split or otherwise partition for the purpose of evading the competitive bidding requirements of this Act, any undertaking involving amounts in excess of the mandatory competitive bid threshold \$10,000.

(Source: P.A. 87-1125.)

(70 ILCS 2605/11.7) (from Ch. 42, par. 331.7)

Sec. 11.7. All proposals to award purchase orders or contracts involving amounts in excess of the mandatory competitive bid threshold \$10,000 shall be published at least 12 calendar days in advance of the date announced for the receiving of bids, in a secular English language newspaper of general circulation in said sanitary district and shall be posted simultaneously on readily accessible bulletin boards in the principal office of the sanitary district. Nothing contained in this section shall be construed to prohibit the placing of additional advertisements in recognized trade journals. Advertisements for bids shall describe the character of the proposed contract or agreement in sufficient detail either in the advertisement itself or by reference to plans, specifications or other detail on file at the time of publication of the first announcement, to enable the bidders to know what their obligation will be. The advertisement shall also state the date, time and place assigned for the opening of bids. No bids shall be received at any time subsequent to the time indicated in the announcement; however, an extension of time may be granted for the opening of such bids upon publication in the same newspaper of general circulation in said sanitary district stating the date to which bid opening has been extended. The time of the extended bid opening shall not be less than 5 days after publication, Sundays and legal holidays excluded.

Cash, cashier's check or a certified check payable to the clerk and drawn upon a bank, as a deposit of good faith, in a reasonable amount not in excess of 10% of the contract amount, may be required of each bidder by the purchasing agent on all bids involving amounts

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in excess of the mandatory competitive bid threshold \$10,000. If a deposit is required, the advertisement for bids shall so specify. Instead of a deposit, the purchasing agent may allow the use of a bid bond if the bond is issued by a surety company that is listed in the Federal Register and is authorized to do business in the State of Illinois.

(Source: P.A. 89-89, eff. 6-30-95.)

(70 ILCS 2605/11.10) (from Ch. 42, par. 331.10)

Sec. 11.10. Every contract or purchase order involving amounts in excess of the mandatory competitive bid threshold \$10,000 shall be signed by the president or other duly authorized officer of the board of commissioners, by the general superintendent, by the clerk and by the purchasing agent. Each bid with the name of the bidder shall be entered upon a record which shall be open to public inspection in the office of the purchasing agent. After the award is made, the bids shall be entered in the official records of the board of commissioners.

All purchase orders or contracts involving amounts that will not exceed the mandatory competitive bid threshold of \$10,000 or less shall be let by the purchasing agent. They shall be signed by the purchasing agent and the clerk. All records pertaining to such awards shall be open to public inspection for a period of at least one year subsequent to the date of the award.

An official copy of each awarded purchase order or contract together with all necessary attachments thereto, including assignments and written consent of the purchasing agent shall be retained by the purchasing agent in an appropriate file open to the public for such period of time after termination of contract during which action against the municipality might ensue under applicable laws of limitation. Certified copies of all completed contracts and purchase orders shall be filed with the clerk. After the appropriate period, purchase orders, contracts and attachments in the clerk's possession may be destroyed by direction of the purchasing agent.

The provisions of this Act are not applicable to joint purchases of personal property, supplies and services made by governmental units in accordance with Sections 1 through 5 of "An Act authorizing certain governmental units to purchase personal property, supplies and services jointly," approved August 15, 1961.

(Source: P.A. 83-835.)

(70 ILCS 2605/11.13) (from Ch. 42, par. 331.13)

Sec. 11.13. Bond, with sufficient sureties, in such amount as shall be deemed adequate by the purchasing agent not only to insure performance of the contract in the time and manner specified in said contract but also to save, indemnify and keep harmless the sanitary district against all liabilities, judgments, costs and expenses which may in anywise accrue against said sanitary district in consequence of the granting of the contract or execution thereof shall be required for all contracts relative to construction, rehabilitation or repair of any of the works of the sanitary district and may be required of each bidder upon all other contracts in excess of the mandatory competitive bid threshold \$10,000 when, in the opinion of the purchasing agent, the public interest will be better served thereby.

In accordance with the provisions of "An Act in relation to bonds of contractors entering into contracts for public construction", approved June 20, 1931, as amended, all contracts for construction work, to which the sanitary district is a party, shall require that the contractor furnish bond guaranteeing payment for materials and labor utilized in the contract.

(Source: P.A. 83-835.)".

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There being no further amendments, the foregoing Amendments numbered 1, 2 and 3, were ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Syverson, Senate Bill No. 49 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 49 on page 11, by deleting lines 21 through 25; and on page 11, line 26, by deleting "bonds or any other cooperating Authority.".

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

On motion of Senator Watson, Senate Bill No. 74 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 74 by replacing the title with the following:

"AN ACT in relation to vehicles."; and by replacing everything after the enacting clause with the following: "Section 5. The Illinois Vehicle Code is amended by adding Section 3-114.1 as follows:  
(625 ILCS 5/3-114.1 new)

Sec. 3-114.1. Transfers to and from charitable organizations. When a charitable not-for-profit organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code becomes the recipient of a motor vehicle by means of a donation from an individual, the organization need not send the certificate of title to the Secretary of State. Upon transferring the motor vehicle, the organization shall promptly and within 20 days execute the reassignment to reflect the transfer from the organization to the purchaser. The organization is specifically authorized to complete and execute the space reserved in the certificate of title for a dealer reassignment, notwithstanding that the organization is not a licensed dealer. Nothing in this Section shall be construed to require the organization to become a licensed vehicle dealer."

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

On motion of Senator Cronin, Senate Bill No. 78 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 78 by inserting immediately below the title the following:

"WHEREAS, The General Assembly recognizes the growing role of

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charter schools in the educational infrastructure of this State; and  
 WHEREAS, It is the intent of the General Assembly to increase the maximum number of charter schools permitted within this State based on current usage and need as of the date of this amendatory Act of the 92nd General Assembly; and

WHEREAS, In so doing, the General Assembly is recognizing current needs as of the date of this amendatory Act of the 92nd General Assembly and makes no determination regarding those regions of the State that have not yet reached the maximum number of charter schools allowed under State law; and

WHEREAS, The General Assembly will address the allocation of charter schools for the remaining regions of this State when those regions reach or approach the maximum allocation of charter schools under State law; therefore"; and

by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27A-4 as follows:

(105 ILCS 5/27A-4)

Sec. 27A-4. General Provisions.

(a) The General Assembly does not intend to alter or amend the provisions of any court-ordered desegregation plan in effect for any school district. A charter school shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.

(b) The total number of charter schools operating under this Article at any one time shall not exceed 60 45. Not more than 30 15 charter schools shall operate at any one time in any city having a population exceeding 500,000; not more than 15 charter schools shall operate at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located; and not more than 15 charter schools shall operate at any one time in the remainder of the State, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located.

For purposes of implementing this Section, the State Board shall assign a number to each charter submission it receives under Section 27A-6 for its review and certification, based on the chronological order in which the submission is received by it. The State Board shall promptly notify local school boards when the maximum numbers of certified charter schools authorized to operate have been reached.

(c) No charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school.

(d) Enrollment in a charter school shall be open to any pupil who resides within the geographic boundaries of the area served by the local school board.

(e) Nothing in this Article shall prevent 2 or more local school boards from jointly issuing a charter to a single shared charter school, provided that all of the provisions of this Article are met as to those local school boards.

(f) No local school board shall require any employee of the school district to be employed in a charter school.

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(g) No local school board shall require any pupil residing within the geographic boundary of its district to enroll in a charter school.

(h) If there are more eligible applicants for enrollment in a charter school than there are spaces available, successful applicants shall be selected by lottery. However, priority shall be given to siblings of pupils enrolled in the charter school and to pupils who were enrolled in the charter school the previous school year, unless expelled for cause. A charter school that leases or purchases a building that was used as a school during the immediately prior school year may give priority to pupils who were enrolled in the school the prior year. Dual enrollment at both a charter school and a public school or non-public school shall not be allowed. A pupil who is suspended or expelled from a charter school shall be deemed to be suspended or expelled from the public schools of the school district in which the pupil resides.

(i) (Blank).

(Source: P.A. 91-357, eff. 7-29-99; 91-405, eff. 8-3-99; 91-407, eff. 8-3-99; revised 8-27-99.)

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

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

On motion of Senator Cullerton, Senate Bill No. 138 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 138 as follows:

on page 1, by inserting between lines 22 and 23 the following:

"Drug court professional" means a judge, prosecutor, defense attorney, probation officer, or treatment provider involved with the drug court program."; and

on page 2, by inserting between lines 30 and 31 the following:

"(5) The defendant has previously completed or has been discharged from a drug court program."; and

on page 3, by replacing lines 1 through 5 with the following:

"(a) The Court shall order an eligibility screening and an assessment of the defendant by an agent designated by the State of Illinois to provide assessment services for the Illinois Courts. An assessment need not be ordered if the court finds a valid assessment related to the present charge pending against the defendant has been completed within the previous 60 days."; and

on page 3, line 9, by inserting "or the prosecution continued" after "sentenced"; and

on page 3, line 28, by inserting "of up to 180 days" after "incarceration"; and

on page 3, by replacing line 29 with the following:

"testing, close monitoring by the court at a minimum of once every 30 days and"; and

on page 4, line 13, by replacing "that:" with the following:

"from the evidence presented including but not limited to the reports or proffers of proof from the drug court professionals that:".

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

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third reading.

On motion of Senator L. Madigan, Senate Bill No. 175 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 175 as follows:  
on page 4, by replacing line 3 with the following:

"violence, or the person battered is within 500 feet while going to or from such a building or other".

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

On motion of Senator Mahar, Senate Bill No. 264 having been printed, was taken up and read by title a second.

Floor Amendment No. 1 was held in the Committee on Education.

There being no further amendments the bill was ordered to a third reading.

On motion of Senator Watson, Senate Bill No. 273 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 273 as follows:

on page 1, line 10, after "collision.", by inserting "For the purposes of this Code, a bumper also includes a device or system of devices similar in design to those with which new motor vehicles are equipped."; and

on page 1, by deleting lines 12 through 30; and  
by deleting pages 2 and 3.

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

On motion of Senator Munoz, Senate Bill No. 290 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, Senate Bill No. 317 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Munoz, Senate Bill No. 373 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator O'Malley, Senate Bill No. 401 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Halvorson, Senate Bill No. 403 having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Parker, Senate Bill No. 435 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 435 as follows: on page 1, by inserting between lines 3 and 4 the following:

"Section 3. The Mental Health and Developmental Disabilities Code is amended by changing Section 2-107.1 as follows:

(405 ILCS 5/2-107.1) (from Ch. 91 1/2, par. 2-107.1)

Sec. 2-107.1. Administration of authorized involuntary treatment upon application to a court.

(a) An adult recipient of services and the recipient's guardian, if the recipient is under guardianship, and the substitute decision maker, if any, shall be informed of the recipient's right to refuse medication. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication.

(a-5) Notwithstanding the provisions of Section 2-107 of this Code, authorized involuntary treatment may be administered to an adult recipient of services without the informed consent of the recipient under the following standards:

(1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of authorized involuntary treatment to a recipient of services. The petition shall state that the petitioner has made a good faith attempt to determine whether the recipient has executed a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act and to obtain copies of these instruments if they exist. If either of the above-named instruments is available to the petitioner, the instrument or a copy of the instrument shall be attached to the petition as an exhibit. The petitioner shall deliver a copy of the petition, and notice of the time and place of the hearing, to the respondent, his or her attorney, any known agent or attorney-in-fact, if any, and the guardian, if any, no later than 3 days prior to the date of the hearing. Service of the petition and notice of the time and place of the hearing may be made by transmitting them via facsimile machine to the respondent or other party. Upon receipt of the petition and notice, the party served, or the person delivering the petition and notice to the party served, shall acknowledge service. If the party sending the petition and notice does not receive acknowledgement of service within 24 hours, service must be made by personal service.

~~If the hearing is requested to be held immediately following the hearing on a petition for involuntary admission, then the notice requirement shall be the same as that for the hearing on the petition for involuntary admission, and the petition filed pursuant to this Section shall be filed with the petition for involuntary admission.~~ The petition may include a request that the court authorize such testing and procedures as may be essential for the safe and effective administration of the authorized involuntary treatment sought to be administered, but only where the petition sets forth the specific testing and procedures sought to be administered.

If a hearing is requested to be held immediately following

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the hearing on a petition for involuntary admission, then the notice requirement shall be the same as that for the hearing on the petition for involuntary admission, and the petition filed pursuant to this Section shall be filed with the petition for involuntary admission.

(2) The court shall hold a hearing within 7 days of the filing of the petition. The People, the petitioner, or the respondent shall be entitled to a continuance of up to 7 days as of right. An additional continuance of not more than 7 days may be granted to any party (i) upon a showing that the continuance is needed in order to adequately prepare for or present evidence in a hearing under this Section or (ii) under exceptional circumstances. The court may grant an additional continuance not to exceed 21 days when, in its discretion, the court determines that such a continuance is necessary in order to provide the recipient with an examination pursuant to Section 3-803 or 3-804 of this Act, to provide the recipient with a trial by jury as provided in Section 3-802 of this Act, or to arrange for the substitution of counsel as provided for by the Illinois Supreme Court Rules. The hearing shall be separate from a judicial proceeding held to determine whether a person is subject to involuntary admission but may be heard immediately preceding or following such a judicial proceeding and may be heard by the same trier of fact or law as in that judicial proceeding.

(3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter 3 of this Act, including the provisions regarding appointment of counsel, shall govern hearings held under this subsection (a-5).

(4) Authorized involuntary treatment shall not be administered to the recipient unless it has been determined by clear and convincing evidence that all of the following factors are present:

(A) That the recipient has a serious mental illness or developmental disability.

(B) That because of said mental illness or developmental disability, the recipient exhibits any one of the following: (i) deterioration of his or her ability to function, (ii) suffering, or (iii) threatening behavior.

(C) That the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in item (B) of this subdivision (4) or the repeated episodic occurrence of these symptoms.

(D) That the benefits of the treatment outweigh the harm.

(E) That the recipient lacks the capacity to make a reasoned decision about the treatment.

(F) That other less restrictive services have been explored and found inappropriate.

(G) If the petition seeks authorization for testing and other procedures, that such testing and procedures are essential for the safe and effective administration of the treatment.

(5) In no event shall an order issued under this Section be effective for more than 90 days. A second 90-day period of involuntary treatment may be authorized pursuant to a hearing that complies with the standards and procedures of this subsection (a-5). Thereafter, additional 180-day periods of involuntary treatment may be authorized pursuant to the standards and procedures of this Section without limit. If a new petition to authorize the administration of authorized involuntary

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treatment is filed at least 15 days prior to the expiration of the prior order, and if any continuance of the hearing is agreed to by the recipient, the administration of the treatment may continue in accordance with the prior order pending the completion of a hearing under this Section.

(6) An order issued under this subsection (a-5) shall designate the persons authorized to administer the authorized involuntary treatment under the standards and procedures of this subsection (a-5). Those persons shall have complete discretion not to administer any treatment authorized under this Section. The order shall also specify the medications and the anticipated range of dosages that have been authorized.

(b) A guardian may be authorized to consent to the administration of authorized involuntary treatment to an objecting recipient only under the standards and procedures of subsection (a-5).

(c) Notwithstanding any other provision of this Section, a guardian may consent to the administration of authorized involuntary treatment to a non-objecting recipient under Article XIa of the Probate Act of 1975.

(d) Nothing in this Section shall prevent the administration of authorized involuntary treatment to recipients in an emergency under Section 2-107 of this Act.

(e) Notwithstanding any of the provisions of this Section, authorized involuntary treatment may be administered pursuant to a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act.

(f) Whenever treatment is ordered under this Section for a recipient who is confined in a county or municipal jail or other pretrial detention facility awaiting trial on criminal charges, the clerk of the court must send a copy of the order for treatment to the counsel who represents the recipient in the criminal proceeding.

(Source: P.A. 90-538, eff. 12-1-97; 91-726, eff. 6-2-00; 91-787, eff. 1-1-01; revised 6-28-00.)"; and

on page 1, line 5, by inserting "and adding Section 3-15-4" after "Section 3-15-3"; and

on page 1, lines 15, 24, 27, 29, and 31, by inserting "and procedures" after "standards" wherever it appears; and

on page 1, line 20, by changing "insure" to "ensure"; and

on page 1 lines 26, 30, and 31, by inserting "juvenile detention" before "facility" wherever it appears; and

on page 2, line 3, by changing "Jail or facility" to "the jail or juvenile detention facility"; and

on page 2, line 4, by inserting "and procedures" after "standards"; and

on page 2, by inserting after line 6 the following:

"(730 ILCS 5/3-15-4 new)

Sec. 3-15-4. Task force on mental health services in municipal jails and lockups.

(a) The Department of Corrections shall convene a special task force to develop and propose model standards for the delivery of mental health services and the prevention of suicides in municipal jails and lockups. The task force shall be composed of no more than 22 members appointed by the Director of Corrections as follows:

(1) Not more than 8 members representing municipalities.

(2) Not more than 8 members representing community mental health service providers and State operated and private psychiatric hospitals, including no more than 3 representatives of the Office of Mental Health, Department of Human Services.

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(3) Three members of the general public, at least one of whom must be a primary consumer of mental health services.

(4) Not more than 3 representatives of the following groups: the National Commission on Correctional Health Care, the American Correctional Association, the Joint Commission on the Accreditation of Health Care Organizations, the American Association of Correctional Psychology, the John Howard Association.

The Director of Corrections shall in appointing the task force attempt to ensure that the membership on the task force represents the geographic diversity of the State.

(b) The members of the task force shall serve without compensation and may not receive reimbursement for any expenses incurred in performing their duties as members of the task force.

(c) The task force may, without limitation, (i) determine what services and screening should be provided in municipal pre-trial detention facilities and what training and resources are necessary to provide those services and (ii) recommend changes in the Department's standards for municipal jails and lockups.

(d) Before the Department acts upon any recommendation of the task force, the Department must hold a public hearing to provide individuals with mental illnesses and their family members, mental health advocacy organizations, and the public to review, comment upon, and suggest any changes to the proposed standards for municipal jails and lockups.

(e) The task force must submit its recommendations as to any changes in the standards for municipal jails and lockups to the General Assembly by January 15, 2002.

Section 99. Effective date. This Section and Section 3-15-4 of the Unified Code of Corrections take effect upon becoming law."

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

On motion of Senator Burzynski, Senate Bill No. 530 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment and Energy, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 530 on page 1, in line 17, by replacing "may" with "must may".

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

On motion of Senator O'Malley, Senate Bill No. 531 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, Senate Bill No. 615 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, Senate Bill No. 629 having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Agriculture and Conservation, adopted and ordered printed:

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## AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 629 on page 3, by replacing lines 5 through 8 with "involving an animal fight.".

## AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 629 as follows: on page 3, line 21, after the period, by inserting the following: "Any veterinarian, who in good faith complies with the requirements of this subsection has immunity from any liability, civil, criminal, or otherwise, that may result from his or her actions. For the purposes of any proceedings, civil or criminal, the good faith of the veterinarian shall be rebuttably presumed.".

## AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 629 on page 3, below line 25, by inserting the following:

"Section 10. The Juvenile Court Act of 1987 is amended by changing Section 5-125 as follows:

(705 ILCS 405/5-125)

Sec. 5-125. Concurrent jurisdiction. Any minor alleged to have violated a traffic, boating, or fish and game law, the Humane Care for Animals Act, or a municipal or county ordinance, may be prosecuted for the violation and if found guilty punished under any statute or ordinance relating to the violation, without reference to the procedures set out in this Article, except that any detention, must be in compliance with this Article.

For the purpose of this Section, "traffic violation" shall include a violation of Section 9-3 of the Criminal Code of 1961 relating to the offense of reckless homicide, Section 11-501 of the Illinois Vehicle Code, or any similar county or municipal ordinance. (Source: P.A. 90-590, eff. 1-1-99.)"

There being no further amendments, the foregoing Amendments numbered 1, 2 and 3, were ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Sullivan, Senate Bill No. 643 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, Senate Bill No. 668 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, Senate Bill No. 721 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

## AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 721 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Sections 8-2001, 8-2003, and 8-2004, changing the heading of Part 20 of Article VIII, and adding Sections 8-2005 and 8-2006 as follows:

(735 ILCS 5/Art. 8, Part 20 heading)

Part 20. Inspection of ~~Hospital~~ Records

(735 ILCS 5/8-2001) (from Ch. 110, par. 8-2001)

(Text of Section WITHOUT the changes made by P.A. 89-7, which has been held unconstitutional)

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Sec. 8-2001. Examination of records. Every private and public hospital shall, upon the request of any patient who has been treated in such hospital and after his or her discharge therefrom, permit the patient, his or her physician or authorized attorney to examine the hospital records, including but not limited to the history, bedside notes, charts, pictures and plates, kept in connection with the treatment of such patient, and permit copies of such records to be made by him or her or his or her physician or authorized attorney. A request for copies examination of the records shall be in writing and shall be delivered to the administrator of such hospital. The hospital shall be reimbursed by the person requesting copies of records at the time of such copying for all reasonable expenses, including the costs of independent copy service companies, incurred by the hospital in connection with such copying not to exceed a \$25 handling charge for processing the request for copies and 37 cents per page (except that the charge shall not exceed \$1 per page for any copies made from microfiche or microfilm), and actual shipping costs. These rates shall be automatically adjusted as set forth in Section 8-2006. The hospital may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as x-ray films or pictures.

The requirements of this Section shall be satisfied within 60 days of the receipt of a request by a patient, for his or her physician, authorized attorney, or own person.

Failure to comply with the time limit requirement of this Section shall subject the denying party to expenses and reasonable attorneys' fees incurred in connection with any court ordered enforcement of the provisions of this Section.

(Source: P.A. 84-7.)

(735 ILCS 5/8-2003) (from Ch. 110, par. 8-2003)

(Text of Section WITHOUT the changes made by P.A. 89-7, which has been held unconstitutional)

Sec. 8-2003. Physician+s Records of physicians and other health care practitioners. In this Section, "practitioner" means any health care practitioner other than a physician, clinical psychologist, or clinical social worker.

Every physician and practitioner shall, upon the request of any patient who has been treated by such physician or practitioner, permit such patient's physician, practitioner, or authorized attorney to examine and copy the patient's records, including but not limited to those relating to the diagnosis, treatment, prognosis, history, charts, pictures and plates, kept in connection with the treatment of such patient. Such request for examining and copying of the records shall be in writing and shall be delivered to such physician or practitioner. Such written request shall be complied with by the physician or practitioner within a reasonable time after receipt by him or her at his or her office or any other place designated by him or her. The physician or practitioner shall be reimbursed by the person requesting such records at the time of such examination--or copying, for all reasonable expenses, including the costs of independent copy service companies, incurred by the physician or practitioner in connection with such examination--or copying not to exceed a \$25 handling charge for processing the request for copies, and 37 cents per page (except that the charge shall not exceed \$1 per page for any copies made from microfiche or microfilm), and actual shipping costs. These rates shall be automatically adjusted as set forth in Section 8-2006. The physician or other practitioner may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated

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on a standard commercial photocopy machine such as x-ray films or pictures.

The requirements of this Section shall be satisfied within 60 days of the receipt of a request by a patient or, his or her physician, practitioner, or authorized attorney.

Failure to comply with the time limit requirement of this Section shall subject the denying party to expenses and reasonable attorneys' fees incurred in connection with any court ordered enforcement of the provisions of this Section.

(Source: P.A. 84-7.)

(735 ILCS 5/8-2004) (from Ch. 110, par. 8-2004)

(Text of Section WITHOUT the changes made by P.A. 89-7, which has been held unconstitutional)

Sec. 8-2004. Records of clinical psychologists and clinical social workers. Except where the clinical psychologist or clinical social worker consents, records of a clinical psychologist or clinical social worker regulated in this State, relating to psychological services or social work services, shall not be examined or copied by a patient, unless otherwise ordered by the court for good cause shown. For the purpose of obtaining records, the patient or his or her authorized agent may apply to the circuit court of the county in which the patient resides or the county in which the clinical psychologist or clinical social worker resides. The clinical psychologist or clinical social worker shall be reimbursed by the person requesting the records at the time of the examination ~~or~~ copying, for all reasonable expenses, including the costs of independent copy service companies, incurred by the clinical psychologist or clinical social worker in connection with the examination ~~or~~ copying, not to exceed a \$25 handling charge for processing the request for copies, and 37 cents per page (except that the charge shall not exceed \$1 per page for any copies made from microfiche or microfilm), and actual shipping costs. These rates shall be automatically adjusted as set forth in Section 8-2006. The clinical psychologist or clinical social worker may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated or a standard commercial photocopy machine such as pictures.

(Source: P.A. 87-530.)

(735 ILCS 5/8-2005 new)

Sec. 8-2005. Attorney's records. This Section applies only if a client and his or her authorized attorney have complied with all applicable legal requirements regarding examination and copying of client files, including but not limited to satisfaction of expenses and attorney retaining liens.

Upon the request of a client, an attorney shall permit the client's authorized attorney to examine and copy the records kept by the attorney in connection with the representation of the client, with the exception of attorney work product. The request for examination and copying of the records shall be in writing and shall be delivered to the attorney. Within a reasonable time after the attorney receives the written request, the attorney shall comply with the written request at his or her office or any other place designated by him or her. At the time of copying, the person requesting the records shall reimburse the attorney for all reasonable expenses, including the costs of independent copy service companies, incurred by the attorney in connection with the copying not to exceed a \$25 handling charge for processing the request for copies, and 37 cents per page (except that the charge shall not exceed \$1 per page for any copies made from microfiche or microfilm), and actual shipping costs. These rates shall be automatically

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adjusted as set forth in Section 8-2006. The attorney may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as pictures.

An attorney shall satisfy the requirements of this Section within 60 days after he or she receives a request from a client or his or her authorized attorney. An attorney who fails to comply with the time limit requirement of this Section shall be required to pay expenses and reasonable attorney's fees incurred in connection with any court-ordered enforcement of the requirements of this Section.

(735 ILCS 5/8-2006 new)

Sec. 8-2006. Copying fees; adjustment for inflation. Beginning in 2003, every January 20, the copying fee limits established in Sections 8-2001, 8-2003, 8-2004, and 8-2005 shall automatically be increased or decreased, as applicable, by a percentage equal to the percentage change in the consumer price index-u during the preceding 12-month calendar year. "Consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100. The new amount resulting from each annual adjustment shall be determined by the Comptroller and made available to the public on January 20 of every year.

Section 99. Effective date. This Act takes effect 30 days after becoming law."

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

On motion of Senator Sullivan, Senate Bill No. 816 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Public Health and Welfare, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 816 on page 2, line 2 by changing "or other or other" to "or other".

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

On motion of Senator Noland, Senate Bill No. 819 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Donahue, Senate Bill No. 831 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 844 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 844 on page 1, line 11, by changing "5" to "10"; and on page 1, line 12, by inserting after "proceeding" the following:

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"and who has never been convicted of a felony involving harm or threat of harm to a child or a felony sexual offense as defined in the Criminal Code of 1961"; and  
 on page 2, by replacing lines 9 and 10 with the following:  
"minors. Circumstances in which a court may appoint a guardian for an unmarried minor include but are not limited to:"; and  
 on page 5, line 8, by changing "shall" to "may"; and  
 on page 5, line 10, by inserting after "pending" the following:  
"or in the county where the minor resides"; and  
 on page 5, line 14, by replacing "If the" with the following:  
"In all cases except cases in which there is a concurrent juvenile court proceeding, if the birth".

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

On motion of Senator Donahue, Senate Bill No. 852 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Environment and Energy, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 852 as follows:  
 on page 2, by deleting lines 16 through 22.

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

On motion of Senator O'Malley, Senate Bill No. 899 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator T. Walsh, Senate Bill No. 961 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Local Government, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 961 on page 2, line 24, by replacing "the \$6,000,000" with "than \$6,000,00"; and  
 on page 3, line 2, by deleting "Illinois"; and  
 on page 3, line 3, by replacing "(IASBO)" with "International".

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

On motion of Senator Noland, Senate Bill No. 994 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Agriculture and Conservation, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 994 by replacing the title with the following:

"AN ACT concerning agriculture"; and

by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois

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Agriculture Infrastructure Development Act of 2001.

Section 5. Definitions. In this Act:

"Advisory Board" or "board" means the Department of Agriculture's Infrastructure Development Advisory Board for Agriculture.

"Agribusiness" means any sole proprietorship, limited partnership, co-partnership, joint venture, corporation, or cooperative that operates or will operate a facility located within the State of Illinois that is related to the processing of agricultural commodities (including, but not limited to, the products of aquaculture, hydroponics, and silviculture) or the manufacturing, production, or construction of agricultural buildings, structures, equipment, implements, and supplies, or any other facilities or processes used in agricultural production. "Agribusiness" includes but is not limited to the following:

(1) grain handling and processing, including grain storage, drying, treatment, conditioning, milling, and packaging;

(2) seed and feed grain development and processing;

(3) fruit and vegetable processing, including preparation, canning, and packaging;

(4) processing of livestock and livestock products, dairy products, poultry and poultry products, fish or apiarian products, including slaughter, shearing, collecting, preparation, canning, and packaging;

(5) fertilizer and agricultural chemical manufacturing, processing, application and supplying;

(6) farm machinery, equipment, and implement manufacturing and supplying;

(7) manufacturing and supplying of agricultural commodity processing machinery and equipment, including machinery and equipment used in slaughter, treatment, handling, collecting, preparation, canning, or packaging of agricultural commodities;

(8) farm building and farm structure manufacturing, construction, and supplying;

(9) construction, manufacturing, implementation, supplying, or servicing of irrigation, drainage, and soil and water conservation devices or equipment;

(10) fuel processing and development facilities that produce fuel from agricultural commodities or by-products;

(11) facilities and equipment for processing and packaging agricultural commodities specifically for export;

(12) facilities and equipment for forestry product processing and supplying, including sawmilling operations, wood chip operations, timber harvesting operations, and manufacturing of prefabricated buildings, paper, furniture, or other goods from forestry products; and

(13) facilities and equipment for research and development of products, processes, and equipment for the production, processing, preparation, or packaging of agricultural commodities and by-products.

"Agricultural facility" means land, any building or other improvement on or to land, and any personal properties deemed necessary or suitable for use, whether or not now in existence, in farming, ranching, the production of agricultural commodities (including, but not limited to, the products of aquaculture, hydroponics, and silviculture) or the treating, processing, or storing of agricultural commodities when the activities are customarily engaged in by farmers as a part of farming or as part of the Illinois value-added agricultural enhancement program.

"Agricultural land" means land suitable for agriculture production.

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"Asset" includes, but is not limited to, the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interest in trusts; government payments or grants; and any other assets.

"Department" means the Department of Agriculture.

"Director" means the Director of Agriculture.

"Fund" means the Illinois Agriculture Infrastructure Development Fund.

"Grantee" mean the person or entity to whom a grant is made to from the Fund.

"Lender" means any federal or State chartered bank, federal land bank, production credit association, bank for cooperatives, federal or state chartered savings and loan association or building and loan association, small business investment company, or any other institution qualified within this State to originate and service loans, including, but not limited to, insurance companies, credit unions, and mortgage loan companies. "Lender" includes a wholly owned subsidiary of a manufacturer, seller or distributor of goods or services that makes loans to businesses or individuals, commonly known as a "captive finance company".

"Liability" includes, but is not limited to, the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments; accrued interest payable; and any other liability.

"Person" means, unless limited to a natural person by the context in which it is used, a person, corporation, association, trust, partnership, limited partnership, joint venture, or cooperative.

"State" means the State of Illinois.

"Value-Added" means the processing, packaging, or otherwise enhancing the value of farm and agricultural products or by-products produced in Illinois.

Section 10. Legislative findings.

(a) The General Assembly finds that in this State the following conditions exist:

(1) There exists an inadequate supply of funds at interest rates sufficiently low to enable persons engaged in agriculture in this State to pursue agricultural or agribusiness operations at present levels.

(2) The inability to pursue agricultural operations lessens the supply of agricultural commodities available to fulfill the needs of the citizens of this State.

(3) The inability to continue operations decreases available employment in the agricultural sector of the State and results in unemployment and its attendant problems.

(4) These conditions prevent the acquisition of an adequate capital stock of farm equipment and machinery, much of which is manufactured in this State, therefore impairing the productivity of agricultural land and causing unemployment or lack of appropriate increase in employment in that manufacturing.

(5) These conditions are conducive to consolidation of acreage of agricultural land with fewer individuals living and farming on the traditional family farm.

(6) These conditions result in a loss in population, unemployment, and movement of persons from rural to urban areas accompanied by added costs to communities for creation of new

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public facilities and services.

(7) There have been recurrent shortages of funds from private market sources at reasonable rates of interest.

(8) The ordinary operations of private enterprise have not in the past corrected these conditions.

(9) There is a need for value-added products and processing in this State.

(10) A stable supply of adequate funds for agricultural financing is required to encourage family farmers and agribusiness in an orderly and sustained manner and to reduce the problems described in this Section.

(b) The General Assembly determines and declares that there exist conditions in the State that require the Department to issue grants on behalf of the State for the acquisition and development of agricultural facilities and value-added products and processing.

Section 15. Infrastructure Development Advisory Board for Agriculture; grant requirements.

(a) The Infrastructure Development Advisory Board for Agriculture is created in the Department of Agriculture. The Advisory Board consists of 7 members, no more than 4 of whom may be of the same political party, appointed by the Governor. One Advisory Board member must represent each of the following: the banking and lending industry, the economic development industry, the agribusiness industry, and the manufacturing industry. Three members must be involved in production agriculture. All members must be residence of the State.

In making the first appointments, the Governor must designate 2 members to serve until the third Monday in January, 2002, 2 members to serve until the third Monday in January, 2003, 2 members to serve until the third Monday in January, 2004, and one member to serve until the third Monday in January, 2005, or until their successors are appointed and qualified. The successors shall be appointed to serve 4-year terms expiring on the third Monday in January or until their successors are appointed and qualified. Any vacancy occurring in the Board whether by death, resignation, or otherwise shall be filled by appointment by the Governor in the same manner as original appointments. A member appointed to fill a vacancy shall serve for the remainder of the unexpired term or until his successor is qualified.

(b) The Director or his or her designee shall serve as chairman of the Advisory Board. Meetings of the Board will be called by the chair. Notice of special meetings shall be given to members of the Board as provided by law. Members may waive notice and do so without further action by being present at any meeting. Meetings of the Board are subject to the Open Meetings Act. Members of the Board may participate, and shall be counted for a quorum, in all meetings via electronic means including telephone conference calls or video conferencing.

(c) Four members of the Advisory Board and the chairman shall constitute a quorum at any meeting. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Advisory Board. The members of the Board shall serve without compensation, but each member shall be reimbursed for his or her necessary expenses incurred in the discharge of his or her duties as a member of the Advisory Board.

(d) The Advisory Board shall review grant requests for the Agriculture Infrastructure Development Grant Program that are submitted to the Department and must advise the Director on whether the project should receive all or part of the funding request. The Board may request additional details and information on all grant

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submissions prior to making any recommendations to the Director. The Advisory Board, in reviewing the applications, must consider, but is not limited to considering the following criteria:

(1) The project has a reasonable assurance of enhancing the value of agricultural products or will expand agribusiness in Illinois.

(2) Preliminary market and feasibility research has been conducted by the applicant or others and there is a reasonable assurance of a potential market.

(3) The applicant has demonstrated the ability to manage the business or commercialize the idea.

(4) There is favorable community support for the project.

(5) There are favorable recommendations from local economic development groups, university-based technical specialists, or other qualified service providers.

(6) The applicant demonstrates a personal commitment and a commercialization development plan.

(7) There is an adequate and realistic budget projection.

(8) The application meets the eligibility requirements and the project costs are eligible under this Act.

(9) The applicant has established a need for the grant.

(10) The economic impact of the project on the state's agriculture and agribusiness sector.

(e) No grant may be made by the Director without a review and recommendation of the Advisory Board. The Director may include the Advisory Board's recommendations for a grant or to impose additional or lesser requirements for the grant. Preference for grants shall be given to, but is not limited to, the following:

(1) Proposals for industrial and nonfood production processes using Illinois agricultural products.

(2) Proposals for food, feed, and fiber products that use Illinois agricultural products and add to the value of Illinois agricultural products.

(3) Research proposals that have not been duplicated by other research efforts.

(4) Proposals that demonstrate that the applicant has invested his or her own funds, time, and or other valued consideration in the project.

(5) Proposals that are reasonably expected to result in a viable commercial application.

(6) Proposals that have a positive economic impact on the State's agriculture and agribusiness sector.

Section 20. Conflict of interest. No member of the Advisory Board may be employed by, hold any official relation to, or have any financial interest in (i) any corporation or entity receiving guarantees, advances, or grants under this Act or (ii) to any agricultural facility financed or assisted under this Act. No moneys of the Department may be deposited in any financial institution in which any officer, director, or holder of a substantial proprietary interest is also a member of the Board. No real estate to which a member of the Board holds legal title or in which that person has any beneficial interest, including any interest in a land trust, may be purchased or financed under this Act. In the event it is later disclosed that the applicant purchased real estate in which a member had an interest, the purchase is void and the member involved shall be disqualified from membership on the Advisory Board.

Section 25. Report. The Director must file with the Governor, the State Treasurer, the Secretary of the Senate, and the Clerk of the House of Representatives, by March 1 of each year, a written report covering the activities of the Department for the previous

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calendar year. The report is a public record and must be available for inspection at the offices of the Department during normal business hours. The report must include a complete list of (i) all applications for grants under the Agriculture Infrastructure Development Grant Program during the calendar year; (ii) all persons that have received any form of financial assistance from the Department during the calendar year; and (iii) the nature and amount of all financial assistance.

Section 30. Powers of the Department. The Department has the following powers, together with all powers incidental to or necessary for the discharge of those powers:

(1) To grant its moneys to one or more persons to be used by those persons to pay the costs of acquiring, constructing, reconstructing, or improving agricultural facilities. Grants must be on any terms and conditions that the Department determines.

(2) To grant its moneys to any agribusiness which operates or will operate a facility located in Illinois for the purposes of adding value to Illinois agricultural commodities. Grants must be on any terms and conditions as the Department requires.

(3) To contract with lenders or others for the origination of or the servicing of the grants made by the Department.

(4) To receive and accept, from any source, aid or contributions of money, property, labor, or other items of value for furtherance of any of its purposes, subject to any conditions not inconsistent with this Act or the laws of this State pertaining to the contributions, including, but not limited to, gifts, guarantees, or grants from any department, agency, or instrumentality of the United States of America.

(5) To collect any fees and charges in connection with its grants, advances, servicing, and other activities that it determines.

(6) To appoint, employ, contract with, and provide for the compensation of any employees and agents, including, but not limited to, engineers, attorneys, management consultants, fiscal advisers, and agricultural, silvicultural, and aquacultural experts, that business of the Department requires. No Advisory Board member or member of his or her firm, business, partnership, or corporation shall be employed or compensated by the Department.

(7) To make, enter into, and execute any contracts, agreements, and other instruments with any person, including but not limited to, any federal, State, or local governmental agency and to take any other actions that may be necessary or convenient to accomplish any purpose for which this authority was granted to the Department or to exercise any power expressly granted under this Act.

(8) To establish funds for financial surety and escrow accounts.

(9) To adopt any necessary rules that are consistent with this Act.

Section 35. Liability. The Director, any Department employee, or any authorized person executing grants is not personally liable on the grants and is not subject to any personal liability or accountability by reason of the issuance of the grants.

Section 40. Agriculture Infrastructure Development Grant Program.

(a) The Department must develop and administer an Agriculture Infrastructure Development Grant Program for the purpose of promoting the value-added processing of Illinois agriculture products and by-products through grants to current and potential processors. Qualifying processing facilities must be located in Illinois and must

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process, package, or otherwise enhance the value of farm products or by-products produced in Illinois. Grants may be used for the costs of developing, establishing, and operating a value-added processing facility, including, but not limited to, (i) purchasing land, (ii) purchasing, constructing, or refurbishing buildings, (iii) purchasing or refurbishing machinery or equipment, (iv) installation, (v) repairs, (vi) labor, (vii) professional services, and (viii) working capital.

The recipient of a grant under this Section must provide a minimum percentage, as determined by the Department, of the total cost of the processing project, with the balance of the project's total cost available from other sources. Other sources include, but are not limited to, commercial and private lenders, leasing companies, and grants. The recipient's match may be in cash, cash-equivalent investments, bonds, irrevocable letters of credit, or any combination thereof. A grant under this Section may provide (i) up to 75% of the cost for technical assistance to develop a project to enhance the value of agricultural products or expand agribusiness in Illinois but not to exceed \$25,000, (ii) up to 50% of the cost of undertaking feasibility studies, competitive assessments, and consulting or productivity services that the Department determines may result in the enhancement of value-added agricultural products, and (iii) up to 10% of the project's total capital construction cost not to exceed \$5,000,000. Notwithstanding any other provision of this Section, the grant moneys may not be used for the purpose of compliance with the provisions of the Livestock Management Facilities Act.

Grant applications must be made on forms provided by and in accordance with procedures established by the Department. At a minimum, an applicant must be an Illinois resident, as defined by Department rule, and must provide the names, addresses, and occupations of all project owners, the project address, relevant credit and financial information (including but not limited to, assets and liabilities), and any other information deemed necessary by the Advisory Board or the Department for review of the grant application.

(b) All requests for the waiver of any requirements in this Section must be made in writing to the Department. A grant award is subject to modification or alteration under, but is not limited to, the following conditions:

(1) The grant award is subject to any modifications that may be required by changes in State law or regulations. Any required modification shall be incorporated into and made a part of the grant as provided in the Illinois Grant Funds Recovery. The Department shall notify the recipient in writing of any amendment to the regulations and the effective date of those amendments.

(2) A recipient's request for budget variations in the amount or line item costs shall be in writing by certified mail and shall give justifications for the requested variations. The Department may approve modification requests if the Department determines the modification is necessary to achieve program objectives. Any changes in cost categories or line items shall not alter the activities or deliverables for the project. If the Department approves the modification request, the recipient must be notified in writing of the change and the effective date of the change.

(3) If either the Department or the recipient requests to modify the terms of the grant award other than as set forth in paragraphs (1) and (2), written notice of the proposed modification shall be given to the other party. No modification

shall take effect unless agreed to in writing by both the Department and the recipient.

(c) The Agricultural Infrastructure Development Fund is created as a special fund within the State treasury. Appropriations and moneys from any public or private source may be deposited into the Fund. Amounts in the Fund not currently needed to meet the obligations of the Fund shall be invested as permitted by law. All interest earned from those investments shall be deposited into the Fund, except that 1% of annual investment earning may be used by the Department for expenses. Subject to appropriation, the Fund shall be used to make grants under this Section. Repayments of grants made under this Section shall be deposited into the Fund.

Section 45. Project reporting. The grantee of a funded project shall submit to the Department periodic reports, as specified in the grant agreement, outlining progress, timeline, and budget compliance. Deviations from the agreement may result in the withholding of further funding or in a grant default. A final written report, describing the work performed, results obtained, and economic impact is required with 30 days after a project is completed. The final report shall also include a financial report of all expenses actually incurred and income generated by the project, if any. Grantees may be required to submit to the Department the following information: employment reports, federal tax returns or financial statements, and other information as requested by the Department where economic or business conditions may be necessary to determine conformance with grant conditions. The Department may require the financial statements be compiled, reviewed, or audited by an independent accountant at the expense of the grantee at any time for 3 years following the completion of the grant.

Section 50. Certification. The Department may develop an organic, identity preserved, and or value-added certification processes and programs that guarantees a buyer that the certified Illinois products have traits and qualities that warrant a premium price or an increase in added value. The Department may adopt rules setting certification and licensing standards for persons to certify products under this Section.

Section 55. Market access. The Department may (i) identify international and domestic consumer preferences, (ii) identify the new markets those preferences indicate, particularly for value-added products, (iii) identify preserved products, (iv) underwrite demonstrations on foreign soils, and (v) provide market analyses and trend projections to farmers and other interested persons.

Section 60. Default or termination of grant agreement. If the recipient of a grant violates any of the terms of the grant agreement, the Department shall send a writing notice to the recipient that he or she is in default and be given the opportunity to correct the violations.

(a) If the violation is not corrected within 10 days after receipt of the notification, the Director may take, but not is limited to, one or more of the following actions:

(1) Declare due and payable the amount of the grant and cease additional grant payments not yet made to the grantee.

(2) Take possession of the facility or project, repair, maintain, operate, sell, lease, or otherwise dispose of the project or facility to another entity.

(3) Take any other action considered appropriate to protect the interest of the project.

(b) The Department shall determine that a recipient has failed to faithfully perform the terms and conditions of the scope of work of the project when:

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(1) The Department has notified the recipient in writing of the existence of circumstances such as repeated failure to submit required reports, misapplication of grant funds, failure to match Department funds, evidence of fraud and abuse, repeated failure to meet performance timelines or standards, or failure to resolve negotiated points of the agreement.

(2) The recipient fails to develop and implement a corrective action plan within 30 calendar days of the Department's notice.

(c) A grant shall be terminated for, but termination is not limited to, under any of the following circumstances:

(1) In the absence of State funding for a specific year, all grants that year will be terminated in full. In the event of a partial loss of State funding, the Department may make proportionate cuts to all recipients.

(2) If the Department determines that the recipient has failed to comply with the terms and conditions of the grant agreement, the Department shall terminate the grant in whole, or in part, at any time before the date of completion.

(3) The Department and the recipient shall terminate the grant in whole, or in part, when the Department and recipient agree that the continuation of the project would not produce beneficial results commensurate with the further expenditures of funds.

(4) The recipient may refuse or elect not to complete the grant agreement and terminate the grant. The recipient shall notify the Department within 10 days after the date upon which performance ceases.

(d) Any money collected from the default or termination of a grant shall be placed into the Fund and expended for the purposes of this Act.

Section 65. State agriculture planning agency. The Department is the State agriculture planning agency. The Department may accept and use planning grants or other financial assistance from the federal government (i) for statewide comprehensive planning work, including research and coordination activity directly related to agriculture needs; and (ii) for State and interstate comprehensive planning and research and coordination activity related to that planning. All such grants shall be subject to the terms and conditions prescribed by the federal government.

Section 70. Construction. This Act is necessary for the welfare of this State and must be liberally construed to effect its purposes.

Section 800. The Open Meetings Act is amended by changing Section 1.02 as follows:

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

Sec. 1.02. For the purposes of this Act:

"Meeting" means any gathering of a majority of a quorum of the members of a public body held for the purpose of discussing public business.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than

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300,000. "Public body" includes the Health Facilities Planning Board. "Public body" includes the Infrastructure Development Advisory Board for Agriculture. "Public body" does not include a child death review team established under the Child Death Review Team Act or an ethics commission, ethics officer, or ultimate jurisdictional authority acting under the State Gift Ban Act as provided by Section 80 of that Act.

(Source: P.A. 90-517, eff. 8-22-97; 90-737, eff. 1-1-99; 91-782, eff. 6-9-00.)

Section 805. The State Finance Act is amended by adding Section 5.545 as follows:

(30 ILCS 105/5.545 new)

Sec. 5.545. The Agricultural Infrastructure Development Fund.

(20 ILCS 205/40.43 rep.)

Section 810. The Department of Agriculture Law of the Civil Administrative Code of Illinois is amended by repealing Section 40.43 as added by Public Act 91-560.

Section 999. Effective date. This Act takes effect upon becoming law."

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

On motion of Senator Cullerton, Senate Bill No. 1048 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1048 on page 1, line 31, after the period, by inserting the following:

"The notice required under this paragraph must include a statement that public access to the Internet is available at public libraries. Any notice required under this paragraph is in addition to any other notice required under this subsection (b)."

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

On motion of Senator Noland, Senate Bill No. 1049 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 1128 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 1207 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 1220 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 1221 having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Dillard, Senate Bill No. 1222 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator O'Malley, Senate Bill No. 1234 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1234 by replacing the title with the following:

"AN ACT in relation to civil procedure."; and  
by replacing everything after the enacting clause with the following:  
"Section 5. The Code of Civil Procedure is amended by changing Section 12-901 as follows:

(735 ILCS 5/12-901) (from Ch. 110, par. 12-901)

Sec. 12-901. Amount. Every individual is entitled to an estate of homestead to the extent in value of ~~\$30,000~~ \$7,500 of his or her interest in a farm or lot of land and buildings thereon, a condominium, or personal property, owned or rightly possessed by lease or otherwise and occupied by him or her as a residence, or in a cooperative that owns property that the individual uses as a residence. That homestead and all right in and title to that homestead is exempt from attachment, judgment, levy, or judgment sale for the payment of his or her debts or other purposes and from the laws of conveyance, descent, and legacy, except as provided in this Code or in Section 20-6 of the Probate Act of 1975. This Section is not applicable between joint tenants or tenants in common but it is applicable as to any creditors of those persons.

If 2 or more individuals own property that is exempt as a homestead, the value of the exemption of each individual may not exceed his or her proportionate share of \$15,000 based upon percentage of ownership.

(Source: P.A. 88-672, eff. 12-14-94.)".

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

On motion of Senator T. Walsh, Senate Bill No. 1253 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 1257 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 1261 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, Senate Bill No. 1293 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, Senate Bill No. 1320 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

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## AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1320 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 2-802 and adding Section 2-807 as follows:

(735 ILCS 5/2-802) (from Ch. 110, par. 2-802)

Sec. 2-802. Order and findings relative to the class. (a) Determination of Class. As soon as practicable after the commencement of an action brought as a class action, the court shall determine by order whether it may be so maintained and describe those whom the court finds to be members of the class. This order may be conditional and may be amended before a decision on the merits.

(b) Class Action on Limited Issues and Sub-classes. When appropriate, an action may be brought or maintained as a class action with respect to particular issues, or divided into sub-classes and each sub-class treated as a class. The provisions of this rule shall then be construed and applied accordingly.

(c) A motion to certify an action as a class action may not be granted before a hearing on the motion. The hearing shall be held as soon as practicable, but in no event before:

(1) Each named adverse party has been served with the pleading containing the demand for class relief or has made an appearance or, with respect to unserved defendants who have not appeared, the proponent of the class has made due and diligent effort to perfect service of the pleading; and

(2) Each party has had a reasonable opportunity to obtain discovery on class certification issues, on such terms and conditions as the court deems necessary.

(Source: P.A. 82-280.)

(735 ILCS 5/2-807 new)

Sec. 2-807. Appeal of certification order.

(a) A circuit court's order certifying a class or refusing to certify a class is appealable in the same manner as a final order to the Appellate Court that would otherwise have jurisdiction over the appeal from a final order in the action. The appeal must be filed within 42 days of the order certifying or refusing to certify the class. The filing of the appeal, the failure to file an appeal, or the affirmance of the certification or denial order does not affect the right of any party, after the entry of final judgment, to appeal the earlier certification of, or refusal to certify, the class.

(b) If the appeal is not the first appeal taken by the party, the subsequent appeal shall be based upon the record at the time of final judgment and shall be considered by the court only to the extent that either the facts or controlling law relevant to certification have changed from that which existed or controlled at the time of the earlier certification or refusal to certify. During the pendency of any such appeal, the action in the circuit court shall be stayed in all respects. Following adjudication on appeal or, if the initial appeal is to the Appellate Court, adjudication of the action on any leave to appeal granted by the Illinois Supreme Court, if the class is not certified, the stay in the circuit court shall automatically dissolve and the circuit court may proceed to adjudicate any remaining individual claims or defenses. If, after the appeal, the class is certified, the stay shall be dissolved and the circuit court shall proceed with adjudication on the merits; except that the circuit court shall at all times before entry of a final order retain jurisdiction to revisit the certification issues upon motion of a party and to order decertification of the class if during the litigation of the case it is evident to the circuit court that the action is no longer reasonably maintainable as a class action

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under factors determined by the circuit court to be appropriate."

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 BILLS OF THE SENATE A THIRD TIME

On motion of Senator Dillard, Senate Bill No. 1517, 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 54; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein

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Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Silverstein, Senate Bill No. 64, 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 53; Nays 1.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson

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Petka  
 Radogno  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

The following voted in the negative:

Rauschenberger

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.

On motion of Senator Noland, Senate Bill No. 92, 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 negative by the following vote: Yeas 28; Nays 28.

The following voted in the affirmative:

Bomke  
 Burzynski  
 Cronin  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Hawkinson  
 Jones, W.  
 Karpel  
 Lauzen  
 Luechtefeld  
 Madigan, R.  
 Mahar  
 Myers  
 Noland  
 O'Malley  
 Parker  
 Petka  
 Radogno  
 Roskam  
 Sieben

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Sullivan  
 Syverson  
 Watson  
 Weaver  
 Woolard  
 Mr. President

The following voted in the negative:

Bowles  
 Clayborne  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Halvorson  
 Hendon  
 Jacobs  
 Jones, E.  
 Lightford  
 Link  
 Madigan, L.  
 Molaro  
 Munoz  
 Obama  
 O'Daniel  
 Peterson  
 Rauschenberger  
 Ronen  
 Shadid  
 Shaw  
 Silverstein  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Welch

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

On motion of Senator Luechtefeld, Senate Bill No. 99, 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 55; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio

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Dillard  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

#### SENATE BILL RECALLED

On motion of Senator del Valle, Senate Bill No. 109 was recalled from the order of third reading to the order of second reading.

Senator O'Malley offered the following amendment and moved its adoption:

[Mar. 22, 2001]

## AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 109 on page 1, line 22, by replacing "Czechoslovakian" with "Czech, Slovak, Czechoslovakian".

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 BILLS OF THE SENATE A THIRD TIME

On motion of Senator Radogno, Senate Bill No. 115, 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 54; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam

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Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Radogno, Senate Bill No. 116, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers

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Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator O'Malley, Senate Bill No. 119, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.

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Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Watson, Senate Bill No. 153, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle

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Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator del Valle, Senate Bill No. 165, 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 56; Nays None.

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The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudyycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard  
Mr. President

This bill, having received the vote of a constitutional majority

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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.

On motion of Senator del Valle, Senate Bill No. 194, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson

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Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Hawkinson, Senate Bill No. 195, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson

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Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator T. Walsh, Senate Bill No. 263, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.

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Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Philip, Senate Bill No. 267, 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 53; Nays None; Present 1.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis

[Mar. 22, 2001]

Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard  
Mr. President

The following voted present:

Ronen

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.

On motion of Senator Watson, Senate Bill No. 298, 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 54; Nays None.

The following voted in the affirmative:

Bomke

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Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
Parker  
Peterson  
Petka  
Radogno  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard  
Mr. President

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.

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On motion of Senator T. Walsh, Senate Bill No. 316, 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 55; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver

[Mar. 22, 2001]

Welch  
Woolard  
Mr. President

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.

On motion of Senator T. Walsh, **Senate Bill No. 319**, 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 54; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben

[Mar. 22, 2001]

Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Karpziel, Senate Bill No. 360, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpziel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel

[Mar. 22, 2001]

O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Noland, Senate Bill No. 364, 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 1.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, W.  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.

[Mar. 22, 2001]

Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Radogno  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

The following voted in the negative:

Rauschenberger

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.

On motion of Senator Syverson, Senate Bill No. 382, 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 54; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis

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Halvorson  
 Hawkinson  
 Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Cullerton, Senate Bill No. 390, 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 55; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski

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Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard

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.

On motion of Senator Watson, Senate Bill No. 406, having been

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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 53; Nays 1.

The following voted in the affirmative:

Bomke  
Bowles  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudyycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard  
Mr. President

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The following voted in the negative:

Rauschenberger

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.

On motion of Senator Sieben, **Senate Bill No. 448**, 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 52; Nays 4.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben

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Silverstein  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Mr. President

The following voted in the negative:

Hawkinson  
Parker  
Sullivan  
Woolard

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.

On motion of Senator Peterson, Senate Bill No. 450, 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 44; Nays 9.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Hawkinson  
Jacobs  
Jones, W.  
Karpel  
Lauzen  
Luechtefeld  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
O'Daniel  
O'Malley  
Parker  
Peterson

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Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Sieben  
 Silverstein  
 Sullivan  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Woolard  
 Mr. President

The following voted in the negative:

Demuzio  
 Halvorson  
 Hendon  
 Jones, E.  
 Madigan, L.  
 Obama  
 Shaw  
 Syverson  
 Welch

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.

On motion of Senator Jacobs, **Senate Bill No. 452**, 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 55; Nays None.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Hendon  
 Jacobs

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Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator Rauschenberger, Senate Bill No. 456, 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 48; Nays 2.

The following voted in the affirmative:

Bomke  
 Bowles  
 Burzynski  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo

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del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Hawkinson  
 Jacobs  
 Jones, W.  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Roskam  
 Shadid  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

The following voted in the negative:

Jones, E.  
 Shaw

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.

On motion of Senator R. Madigan, Senate Bill No. 463, 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 55; Nays None.

The following voted in the affirmative:

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Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Laufen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard  
Mr. President

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

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thereof and ask their concurrence therein.

On motion of Senator L. Madigan, Senate Bill No. 502, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.

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Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

On motion of Senator T. Walsh, Senate Bill No. 523, 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 34; Nays 20; Present 1.

The following voted in the affirmative:

Bomke  
 Bowles  
 Clayborne  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Dillard  
 Dudycz  
 Geo-Karis  
 Halvorson  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Lightford  
 Link  
 Molaro  
 Munoz  
 Myers  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Ronen  
 Shaw  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Walsh, L.  
 Walsh, T.  
 Mr. President

The following voted in the negative:

Burzynski  
 Donahue

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Hawkinson  
Karpel  
Lauzen  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Noland  
Obama  
Rauschenberger  
Roskam  
Shadid  
Sieben  
Viverito  
Watson  
Weaver  
Welch  
Woolard

The following voted present:

Demuzio

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.

On motion of Senator Cullerton, Senate Bill No. 647, 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 56; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link

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Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Rauschenberger  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

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.

At the hour of 1:20 o'clock p.m., Senator Watson presiding.

On motion of Senator Geo-Karis, Senate Bill No. 697, 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 43; Nays 13.

The following voted in the affirmative:

Bowles  
 Burzynski  
 Cronin  
 Cullerton  
 DeLeo  
 del Valle  
 Demuzio  
 Dillard  
 Donahue  
 Dudycz

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Geo-Karis  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Peterson  
 Petka  
 Radogno  
 Ronen  
 Roskam  
 Shadid  
 Sieben  
 Silverstein  
 Syverson  
 Viverito  
 Walsh, T.  
 Watson  
 Weaver  
 Woolard  
 Mr. President

The following voted in the negative:

Bomke  
 Clayborne  
 Halvorson  
 Hawkinson  
 Hendon  
 Lauzen  
 Parker  
 Rauschenberger  
 Shaw  
 Sullivan  
 Trotter  
 Walsh, L.  
 Welch

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.

On motion of Senator Dudycz, Senate Bill No. 720, 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

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the affirmative by the following vote: Yeas 46; Nays 8.

The following voted in the affirmative:

Clayborne  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Link  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Rauschenberger  
Ronen  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch  
Woolard  
Mr. President

The following voted in the negative:

Bomke  
Burzynski  
Cronin  
Geo-Karis  
Lightford  
Luechtefeld  
Roskam

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Syverson

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.

REPORT FROM STANDING COMMITTEE

Senator DeLeo, Co-Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the Governors appointments.

The motion prevailed.

EXECUTIVE SESSION

Senators Petka and DeLeo, Co-Chairpersons of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of January 31, 2001, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

DEPARTMENT ON AGING

To be the Director of the Department on Aging for a term ending January 20, 2003:

Margo E. Schreiber of Glen Ellyn  
Salaried

DEPARTMENT OF AGRICULTURE

To be Director of the Department of Agriculture for a term ending January 20, 2003:

Joe Hampton of Windsor  
Salaried

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

To be Director of the Department of Central Management Services for a term ending January 20, 2003:

Michael S. Schwartz of Springfield  
Salaried

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

To be Director of the Department of Children and Family Services for a term ending January 20, 2003:

Jess F. McDonald of Springfield  
Salaried

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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To be Director of the Department of Commerce and  
Community Affairs for a term ending January 20, 2003:

Pamela McDonough of Springfield  
Salaried

DEPARTMENT OF CORRECTIONS

To be Director of the Department of Corrections  
for a term ending January 20, 2003:

Donald N. Snyder, Jr. of Pittsfield  
Salaried

DEPARTMENT OF EMPLOYMENT SECURITY

To be Director of the Department of Employment  
Security for a term ending January 20, 2003:

Gertrude W. Jordan of Chicago  
Salaried

DEPARTMENT OF FINANCIAL INSTITUTIONS

To be Director of the Department of Financial  
Institutions for a term ending January 20, 2003:

Sarah D. Vega of Chicago  
Salaried

DEPARTMENT OF HUMAN RIGHTS

To be Director of the Department of Human Rights  
for a term ending January 20, 2003:

Carlos J. Salazar of Chicago  
Salaried

DEPARTMENT OF HUMAN SERVICES

To be Secretary of the Department of Human Services  
for a term ending January 20, 2003:

Linda Renee Baker of Springfield  
Salaried

DEPARTMENT OF INSURANCE

To be Director of the Department of Insurance for a  
term ending January 20, 2003:

Nathaniel S. Shapo of Chicago  
Salaried

DEPARTMENT OF LABOR

To be Director of the Department of Labor for a term  
ending January 20, 2003:

Robert M. Healey of Homewood

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Salaried

DEPARTMENT OF LOTTERY

To be Director of the Department of Lottery for a term ending January 20, 2003:

Lori S. Montana of Chicago  
Salaried

DEPARTMENT OF NATURAL RESOURCES

To be Director of the Department of Natural Resources for a term ending January 20, 2003:

Gordon Brent Manning of Pawnee  
Salaried

DEPARTMENT OF NUCLEAR SAFETY

To be Director of the Department of Nuclear Safety for a term ending January 20, 2003:

Thomas Ortciger of Leland Grove  
Salaried

DEPARTMENT OF PROFESSIONAL REGULATION

To be Director of the Department of Professional Regulation for a term ending January 20, 2003:

Leonard A. Sherman of Chicago  
Salaried

DEPARTMENT OF PUBLIC HEALTH

To be Director of the Department of Public Health for a term ending January 20, 2003:

John R. Lumpkin of Chicago  
Salaried

DEPARTMENT OF REVENUE

To be Director of the Department of Revenue for a term ending January 20, 2003:

Glen L. Bower of Effingham  
Salaried

DEPARTMENT OF STATE POLICE

To be Director of the Department of State Police for a term ending January 20, 2003:

Sam W. Nolen of Springfield  
Salaried

DEPARTMENT OF TRANSPORTATION

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To be Secretary of the Department of Transportation  
for a term ending January 20, 2003:

Robert Kirkland Brown of Sherman  
Salaried

DEPARTMENT OF VETERANS' AFFAIRS

To be Director of the Department of Veterans' Affairs for  
a term ending January 20, 2003:

John W. Johnston of Springfield  
Salaried

EMERGENCY MANAGEMENT AGENCY

To be Director of the Emergency Management Agency for  
a term ending January 20, 2003:

Michael Chamness of Rochester  
Salaried

ENVIRONMENTAL PROTECTION AGENCY

To be Director of the Environmental Protection  
Agency for a term ending January 20, 2003:

Thomas V. Skinner of Lake Bluff  
Salaried

STATE FIRE MARSHAL

To be State Fire Marshal for a term ending  
January 20, 2003:

Ernest E. Russell of Peoria  
Salaried

Senator DeLeo moved that the Senate advise and consent to the  
foregoing appointments.

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

Yeas 54; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson

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Hendon  
 Jacobs  
 Jones, E.  
 Jones, W.  
 Karpel  
 Lauzen  
 Lightford  
 Link  
 Luechtefeld  
 Madigan, L.  
 Madigan, R.  
 Mahar  
 Molaro  
 Munoz  
 Myers  
 Noland  
 Obama  
 O'Daniel  
 O'Malley  
 Parker  
 Peterson  
 Petka  
 Radogno  
 Ronen  
 Roskam  
 Shadid  
 Shaw  
 Sieben  
 Silverstein  
 Sullivan  
 Syverson  
 Trotter  
 Viverito  
 Walsh, L.  
 Walsh, T.  
 Watson  
 Weaver  
 Welch  
 Woolard  
 Mr. President

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senators Petka and DeLeo, Co-Chairpersons of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of February 20, 2001, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

DEPARTMENT OF PUBLIC AID

To be Director of the Department of Public Aid  
 for a term ending January 20, 2003:

Jacqueline Sue Garner of Springfield  
 Salaried

Senator DeLeo moved that the Senate advise and consent to the

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foregoing appointment.

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

Yeas 55; Nays None.

The following voted in the affirmative:

Bomke  
Bowles  
Burzynski  
Clayborne  
Cronin  
Cullerton  
DeLeo  
del Valle  
Demuzio  
Dillard  
Donahue  
Dudycz  
Geo-Karis  
Halvorson  
Hawkinson  
Hendon  
Jacobs  
Jones, E.  
Jones, W.  
Karpel  
Lauzen  
Lightford  
Link  
Luechtefeld  
Madigan, L.  
Madigan, R.  
Mahar  
Molaro  
Munoz  
Myers  
Noland  
Obama  
O'Daniel  
O'Malley  
Parker  
Peterson  
Petka  
Radogno  
Ronen  
Roskam  
Shadid  
Shaw  
Sieben  
Silverstein  
Sullivan  
Syverson  
Trotter  
Viverito  
Walsh, L.  
Walsh, T.  
Watson  
Weaver  
Welch

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Woolard  
Mr. President

The motion prevailed.  
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

On motion of Senator DeLeo, the Executive Session arose and the Senate resumed consideration of business.  
Senator Watson, presiding.

#### READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Clayborne, House Bill No. 258 was taken up, read by title a second time and ordered to a third reading.

#### PRESENTATION OF RESOLUTIONS

Senators Syverson, Peterson, Sieben, Klemm, Link, Geo-Karis and Burzynski offered the following Senate Resolution, which was referred to the Committee on Rules:

##### SENATE RESOLUTION NO. 88

WHEREAS, Native American Indian tribes are building large casinos on our borders in the municipalities of Kenosha, Beloit, Shullsburg, Delavan, and Caledonia, Wisconsin; and

WHEREAS, Such casinos are draining entertainment dollars and jobs from Illinois and harming Illinois businesses; and

WHEREAS, This huge expansion of gambling will increase the number of problem gamblers in Illinois and the social problems such gamblers cause; and

WHEREAS, These border casinos will provide no revenues to Illinois to address these social and economic costs; and

WHEREAS, The Bureau of Indian Affairs is encouraging the construction of these casinos and ignoring the concerns and input of Illinois citizens; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we oppose the construction of casinos along our State borders; and be it further

RESOLVED, That the Illinois General Assembly urges the Bureau of Indian Affairs to put an immediate halt to the construction of these casinos until such time as Illinois citizens and their concerns are heard; and be it further

RESOLVED, That the Illinois General Assembly urges the members of the United States Congress to join with the State of Illinois in our petition to the Bureau of Indian Affairs and to make meaningful changes to the Indian Gaming Regulatory Act to prevent this type of gambling expansion in the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the members of the Illinois Congressional delegation and the Bureau of Indian Affairs.

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

##### SENATE RESOLUTION NO. 89

WHEREAS, The mission of the Boy Scouts of America is to teach young men valuable skills, morals, and ethical values through

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community service, a challenging outdoor program, and by teaching self-respect, respect for nature, and respect for other people; and

WHEREAS, The values of the Boy Scouts of America are reflected in the Scout Oath and Scout Law; the Scout Oath summarizes Boy Scout values as follows:

On my honor I will do my best  
To do my duty to God and my country  
and to obey the Scout Law;  
To help other people at all times;  
To keep myself physically strong;  
mentally awake, and morally straight; and

WHEREAS, The Scout Law requires that a scout be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent; and

WHEREAS, The Boy Scouts of America has selected its scoutmasters and other Boy Scout leaders on the basis of the highest standards believing that strong leaders and positive role models are important to the healthy development of young people; and

WHEREAS, The Boy Scouts of America has utilized a merit badge program; this program enables young men to explore and earn recognition in more than 100 fields of skill, including camping, cooking, first aid, swimming, citizenship, canoeing, home repairs, lifesaving techniques, and many others; and

WHEREAS, Scouts engage in a wide range of community service activities, including collecting food for the needy, visiting people in nursing homes and hospitals, and leading recycling efforts in their community; and

WHEREAS, The Boy Scouts of America has a commitment to public service; this commitment is reflected in the Boy Scouts of America goal of committing each scout to twelve hours of community service each year; and

WHEREAS, The Boy Scouts of America has served more than 100 million members and their families through its more than 90-year history; and

WHEREAS, There are more than 90,000 charter organizations, over 3 million youth members, and more than 1.2 million adult volunteers in a variety of programs, including the Tiger Cubs, the Cub Scouts, the Webelos Scouts, the Boy Scouts of America, the Ventures, and the Varsity Scouts; these numbers reflect what a great appeal the Boy Scouts of America program has across the United States; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That the members of the Illinois State Senate join the citizens of the State of Illinois in appreciation and celebration of the Boy Scouts of America for their fine work on behalf of young people across the country; and be it further

RESOLVED, That the Governor of the State of Illinois is asked to proclaim an annual Boy Scouts of America Day for the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution shall be sent to the Governor of the State of Illinois and the Central Region Boy Scouts of America.

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

**SENATE JOINT RESOLUTION NO. 19**

WHEREAS, Public Act 91-698, effective May 6, 2000, amended the Sales Finance Agency Act (205 ILCS 660) and the Consumer Installment Loan Act (205 ILCS 670) to authorize the Department of Financial

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Institutions to adopt rules necessary for the protection of consumers in Illinois; and

WHEREAS, The Department of Financial Institutions proposed rules titled "Consumer Installment Loan Act" (38 Ill Adm Code 110) on August 11, 2000 at 24 Ill. Reg. 11717 regulating loans with annual interest rates exceeding 36% for periods of less than 60 days, if secured by an automobile title, or for periods of less than 30 days, if not secured by a title; and

WHEREAS, Among other provisions, the Department's rules limit lenders of these short-term loans to simple interest, require lenders to provide applicants and debtors with information about debt management services, require release of any liens within 24 hours after a short-term loan is repaid, and require lenders to verify that a borrower has not received another short-term loan within the previous 15 days; and

WHEREAS, The Department of Financial Institutions submitted its proposed rules on October 17, 2000 to the Joint Committee on Administrative Rules, which reviewed the rules and issued a Statement of Objection; and

WHEREAS, The Joint Committee on Administrative Rules found that the proposed rules constitute a serious threat to public interest, safety, or welfare, and the filing prohibition gives the agency an opportunity to revisit those provisions and consider less onerous alternatives; and

WHEREAS, Citing public comment, the Joint Committee on Administrative Rules noted that the proposed rules present an unreasonable economic burden to small lenders, which in turn may diminish the availability of financial resources for consumers with limited options; and

WHEREAS, Based on this determination, the Joint Committee on Administrative Rules prohibited the above-cited rulemaking at its meeting on November 29, 2000; and

WHEREAS, Because Section 5-115 of the Illinois Administrative Procedure Act states that a Prohibition of an agency's proposed rule is effective for a period of at least 180 days, the Prohibition issued by JCAR commenced November 30, 2000 and will terminate on May 28, 2001, unless continued by adoption of this Joint Resolution by both houses of the General Assembly as provided by Section 5-125(c) of the Illinois Administrative Procedure Act; and

WHEREAS, The General Assembly may permanently prohibit filing of these rules by joint resolution before the conclusion of that 180-day period, as further provided in Section 5-115 of the Illinois Administrative Procedure Act; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Prohibition by the Joint Committee on Administrative Rules of the rules proposed by the Department of Financial Institutions under Public Act 91-698 and initially published in the Illinois Register on August 11, 2000 be continued; and be it further

RESOLVED, That copies of this resolution be forwarded to the Executive Director of the Joint Committee on Administrative Rules and the Director of Financial Institutions.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message from the House by

Mr. Rossi, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in

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the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 253  
A bill for AN ACT with regard to schools.

HOUSE BILL NO. 400  
A bill for AN ACT relating to political solicitations and contributions, amending certain Acts.

HOUSE BILL NO. 445  
A bill for AN ACT in relation to schools.

HOUSE BILL NO. 605  
A bill for AN ACT in relation to State soil.

HOUSE BILL NO. 714  
A bill for AN ACT in relation to public aid.

HOUSE BILL NO. 1692  
A bill for AN ACT with regard to education.

HOUSE BILL NO. 2254  
A bill for AN ACT concerning vehicles.

HOUSE BILL NO. 2268  
A bill for AN ACT in regard to vehicles.

HOUSE BILL NO. 2556  
A bill for AN ACT concerning insurers.

HOUSE BILL NO. 3145  
A bill for AN ACT concerning presidential electors.

Passed the House, March 22, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 253, 400, 445, 605, 714, 1692, 2254, 2268, 2556 and 3145 were taken up, ordered printed and placed on first reading.

#### RESOLUTIONS CONSENT CALENDAR

##### SENATE RESOLUTION NO. 74

Offered by Senator Lauzen and all Senators:  
Mourns the death of Benjamin P. Alschuler of Aurora.

##### SENATE RESOLUTION NO. 75

Offered by Senator Sullivan and all Senators:  
Mourns the death of Francis Gambro of Buffalo Grove.

##### SENATE RESOLUTION NO. 76

Offered by Senator Lauzen and all Senators:  
Mourns the death of Aaron Roger Mahr of Aurora.

##### SENATE RESOLUTION NO. 77

Offered by Senator Lauzen and all Senators:  
Mourns the death of Josephine Mangers of Aurora.

##### SENATE RESOLUTION NO. 78

Offered by Senator Dillard and all Senators:  
Mourns the death of Irving Johnson of Clarendon Hills.

##### SENATE RESOLUTION NO. 79

Offered by Senator Shadid and all Senators:  
Mourns the death of Irvin E. Vance of Aurora.

##### SENATE RESOLUTION NO. 80

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Offered by Senator Bomke and all Senators:  
Mourns the death of George Gus Kerasotes of Springfield.

SENATE RESOLUTION NO. 81

Offered by Senator Silverstein and all Senators:  
Mourns the death of Rabbi Harold Shusterman of Chicago.

SENATE RESOLUTION NO. 82

Offered by Senator Clayborne and all Senators:  
Mourns the death of George Raymond Calhoun of East St. Louis.

SENATE RESOLUTION NO. 83

Offered by Senator Clayborne and all Senators:  
Mourns the death of Ruth Scrivner of Belleville.

SENATE RESOLUTION NO. 84

Offered by Senator Clayborne and all Senators:  
Mourns the death of Bernice Pensoneau of Belleville.

SENATE RESOLUTION NO. 85

Offered by Senator Myers and all Senators:  
Mourns the death of Hazel Dooley Watson of Charleston.

SENATE RESOLUTION NO. 87

Offered by Senator Lauzen and all Senators:  
Mourns the death of Thomas Cekay of St. Charles.

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

PRESENTATION OF RESOLUTION

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

SENATE JOINT RESOLUTION NO. 20

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, March 22, 2001, it stands adjourned until Tuesday, March 27, 2001, at 12:00 o'clock noon; and when the House of Representatives adjourns on Friday, March 23, 2001, it stands adjourned until Monday, March 26, 2001, at 12:00 o'clock noon; and when it adjourns on that day, it stands adjourned until Tuesday, March 27, 2001, at 10:00 o'clock a.m.

The motion prevailed.

And the resolution was adopted.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES  
A FIRST TIME

House Bill No. 2, sponsored by Senator Mahar was taken up, read by title a first time and referred to the Committee on Rules.

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House Bill No. 154, sponsored by Senator Halvorson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 190, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 254, sponsored by Senator R. Madigan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 267, sponsored by Senator R. Madigan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 269, sponsored by Senator Jacobs was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 390, sponsored by Senators Karpel - Cronin was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 583, sponsored by Senator Cronin was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 700, sponsored by Senator Sieben was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1060, sponsored by Senator Geo-Karis was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1095, sponsored by Senator del Valle was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1696, sponsored by Senator Donahue was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1785, sponsored by Senator Karpel was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1972, sponsored by Senator Sieben was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2140, sponsored by Senator Jacobs was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2143, sponsored by Senator Sieben was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2157, sponsored by Senator O'Malley was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2218, sponsored by Senators Parker - Molaro was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2255, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2398, sponsored by Senator L. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2994, sponsored by Senator R. Madigan was taken

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up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3214, sponsored by Senator Peterson was taken up, read by title a first time and referred to the Committee on Rules.

LEGISLATIVE MEASURES FILED

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

Senate Amendment No. 2 to Senate Bill 333  
Senate Amendment No. 1 to Senate Bill 1047

At the hour of 1:52 o'clock p.m., on motion of Senator Welch, and pursuant to Senate Joint Resolution No. 20, the Senate stood adjourned until Tuesday, March 27, 2001 at 12:00 o'clock noon.

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