State of Illinois
91st General Assembly
Final Senate Journal

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

25TH LEGISLATIVE DAY

TUESDAY, MARCH 23,1999

10:00 O'CLOCK A.M.

The Senate met pursuant to adjournment.
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
Prayer by Pastor Gary Winkleman, West Side Christian Church, Springfield, Illinois.
Senator Sieben led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, March 17, 1999, was being read when on motion of Senator further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Myers moved that reading and approval of the Journals of Thursday, March 18, 1999, Friday, March 19, 1999 and Monday, March 22, 1999 be postponed pending arrival of the printed Journals.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

The 1998 Annual Report, Impact Incarceration Program, submitted by the Department of Corrections as required by Chapter 730 ILCS 5/5-8-1.1.

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

LEGISLATIVE MEASURES FILED

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

Senate Amendment No. 3 to Senate Bill 26
Senate Amendment No. 2 to Senate Bill 230
Senate Amendment No. 1 to Senate Bill 418
Senate Amendment No. 2 to Senate Bill 729
Senate Amendment No. 1 to Senate Bill 795
Senate Amendment No. 3 to Senate Bill 867

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
ILLINOIS SENATE

James "Pate" Philip
Senate President
and
Majority Leader

March 23, 1999

Mr. Jim Harry
Secretary of the Senate
401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Please be advised that I have replaced Senator Maitland with Senator Dudycz on the Senate Rules Committee effective immediately.

Sincerely,

s/Pate
James "Pate" Philip
Senate President

cc: Senator Demuzio

Senator Cullerton
Senator Weaver
Senator Maitland
Senator Dudycz

REPORTS FROM STANDING COMMITTEES

Senator R. Madigan, Chairperson of the Committee on Insurance and Pensions to which was referred **Senate floor Amendments numbered 3 and 4 to Senate Bill No. 363,** reported the same back with the recommendation that they be adopted.

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

Senator R. Madigan, Chairperson of the Committee on Insurance and Pensions to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 1024,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 4 to Senate Bill No. 7,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 3 to Senate Bill No. 109,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 202,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 465,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 3 to Senate Bill No. 644,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 2 to Senate Bill No. 673,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 748,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 749,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 753,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 2 to Senate Bill No. 784,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 2 to Senate Bill No. 845,** reported the same back with the recommendation that it be adopted.

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

Senator Hawkinson, Chairperson of the Committee on Judiciary to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 1121,** reported the same back with the recommendation that it be adopted.

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

Senator Dillard, Chairperson of the Committee on Local Government

to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 171,** reported the same back with the recommendation that it be adopted.

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

Senator Dillard, Chairperson of the Committee on Local Government to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 286,** reported the same back with the recommendation that it be adopted.

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

Senator Dillard, Chairperson of the Committee on Local Government to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 906,** reported the same back with the recommendation that it be adopted.

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

Senator Dillard, Chairperson of the Committee on Local Government to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 1171,** reported the same back with the recommendation that it be adopted.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 2 to Senate Bill No. 13,** reported the same back with the recommendation that it be adopted.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 323,** reported the same back with the recommendation that it be adopted.

Under the rules, the foregoing amendment is eligible for

consideration on second reading.

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 2 to Senate Bill No. 458,** reported the same back with the recommendation that it be adopted.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 3 to Senate Bill No. 541,** reported the same back with the recommendation that it be adopted.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 561,** reported the same back with the recommendation that it be adopted.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 672,** reported the same back with the recommendation that it be adopted.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 953,** reported the same back with the recommendation that it be adopted.

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

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred **Senate floor Amendment No. 2 to Senate Bill No. 965,** reported the same back with the recommendation that it be adopted.

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

Senator Fawell, Chairperson of the Committee on Transportation to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 185,** reported the same back with the recommendation that it be adopted.

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

Senator Fawell, Chairperson of the Committee on Transportation to which was referred **Senate floor Amendment No. 1 to Senate Bill No. 1129,** reported the same back with the recommendation that it be adopted.

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

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 the passage of which I am instructed to ask the concurrence of the

Senate, to-wit:

HOUSE BILL NO. 156

A bill for AN ACT to amend the Criminal Code of 1961 by adding Sections 24-9 and 24-9.1.

HOUSE BILL NO. 227

A bill for AN ACT to amend the Criminal Code of 1961 by changing Sections 16-1 and 24-1.1 and adding Sections 2-7.1, 16-16, and 16-16.1.

HOUSE BILL NO. 562

A bill for AN ACT to amend the Illinois Public Aid Code by adding Section 5-5d.

HOUSE BILL NO. 1712

A bill for AN ACT concerning home mortgages.

HOUSE BILL NO. 1780

A bill for AN ACT creating the Health Care Professional Credentialing Act.

HOUSE BILL NO. 1878

A bill for AN ACT to amend the School Code by changing Section 34B-12.

HOUSE BILL NO. 1955

A bill for AN ACT to amend the Illinois Municipal Code by changing Section 11-31-1.

HOUSE BILL NO. 2011

A bill for AN ACT to amend the Environmental Protection Act by changing Section 42.

HOUSE BILL NO. 2333

A bill for AN ACT to amend the Code of Criminal Procedure of 1963 by changing Section 103-5.

Passed the House, March 22, 1999.

ANTHONY D. ROSSI, Clerk of the House

The foregoing **House Bills numbered 156, 227, 562, 1712, 1780, 1878, 1955, 2011 and 2333** were taken up, ordered printed and placed on first reading.

At the hour of 10:10 o'clock a.m, Senator Watson presiding.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator O'Malley, **Senate Bill No. 6** having been printed, was taken up and read by title a second time.

Floor Amendments numbered 1 and 2 were held in the Committee on Local Government.

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

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

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

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

On motion of Senator O'Malley, **Senate Bill No. 35** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 35 by replacing the title with the following:

"AN ACT to amend the Property Tax Code by changing Sections 5-5, 12-50, 14-15, 16-95, 16-125, and 16-160 and adding Section 20-178."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 5-5, 12-50, 14-15, 16-95, 16-125, and 16-160 and adding Section 20-178 as follows:

(35 ILCS 200/5-5)

Sec. 5-5. Election of board of review; counties of 3,000,000 or more.

(a) In counties with 3,000,000 or more inhabitants, on the first Tuesday after the first Monday in November 1994, 2 commissioners of the board of appeals shall be elected to hold office from the first Monday in December following their election and until the first Monday in December 1998. In case of any vacancy, the chief judge of the circuit court or any judge of that circuit designated by the chief judge shall fill the vacancy by appointment. The commissioners shall be electors in the particular county at the time of their election or appointment and shall hold no other lucrative public office or public employment. Each commissioner shall receive compensation fixed by the county board, which shall be paid out of the county treasury and which shall not be changed during the term for which any commissioner is elected or appointed. Effective the first Monday in December 1998, the board of appeals is abolished.

The board of appeals shall maintain sufficient evidentiary records to support all decisions made by the board of appeals. All records, data, sales/ratio studies, and other information necessary for the board of review elected under subsection (c) to perform its functions and duties shall be transferred by the board of appeals to the board of review on the first Monday in December 1998.

(b) (Blank).

(c) In each county with 3,000,000 or more inhabitants, there is created a board of review. The board of review shall consist of 3 members, one elected from each election district in the county at the general election in 1998 to hold office for a term beginning on the first Monday in December following their election and until their respective successors are elected and qualified.

No later than June 1, 1996, the General Assembly shall establish the boundaries for the 3 election districts in each county with 3,000,000 or more inhabitants. The election districts shall be compact, contiguous, and have substantially the same population based on the 1990 federal decennial census. One district shall be designated as the first election district, one as the second election district, and one as the third election district. The member from each district shall be elected to a term of 4 years.

In the year following each federal decennial census, the General Assembly shall reapportion the election districts to reflect the

results of the census. The reapportioned districts shall be compact, contiguous, and contain substantially the same population. The member from the first district shall be elected to terms of 4 years, 4 years, and 2 years. The member from the second district shall be elected to terms of 4 years, 2 years, and 4 years. The member from the third district shall be elected to terms of 2 years, 4 years, and 4 years.

In case of vacancy, the chief judge of the circuit court or any

judge of the circuit court designated by the chief judge shall fill the vacancy by appointment of a person from the same political party. If the vacancy is filled with more than 28 months remaining in the term, the appointed member shall serve until the next general election, at which time a member shall be elected to serve for the remainder of the term. If a vacancy is filled with 28 months or less remaining in the term, the appointment shall be for the remainder of the term. The members shall be electors within their respective election district at the time of their election or appointment and shall hold no other lucrative public office or public employment.

Each member shall receive compensation fixed by the county board, which shall be paid from the county treasury. Compensation for each member shall be equitable and shall not be changed during the term for which that member is elected or appointed. The county shall provide suitable office space for the board of review.

For the year beginning on the first Monday in December 1998 and ending the first Monday in December 1999, and every fourth year thereafter, the chair of the board shall be the member elected from the first district. For the year beginning the first Monday in December 1999 and ending the first Monday in December 2000, and every fourth year thereafter, the chair of the board shall be the member elected from the second district. For the year beginning the first Monday in December 2000 and ending the first Monday in December 2001, and every fourth year thereafter, the chair shall be the member elected from the third district. For the year beginning the first Monday in December 2001 and ending the first Monday in December 2002, and every fourth year thereafter, the chair of the board shall be determined by lot.

On and after the first Monday in December, 1998, any reference in this Code to a board of appeals shall mean the board of review created under this subsection. Whenever it may be necessary for purposes of determining its jurisdiction, the board of review shall be deemed to succeed to the powers and duties of the former board of appeals; provided that the board of review shall also have all of the powers and duties granted to it under this Code. All action of the board of review shall be by a majority vote of its members.

(Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff. 8-14-96.)

(35 ILCS 200/12-50)

Sec. 12-50. Mailed notice to taxpayer after change by board of review or board of appeals. If final board of review or board of appeals action regarding any property, including equalization under Section 16-60 or Section 16-65, results in an increased or decreased assessment, the board shall mail a notice to the taxpayer, at his or her address as it appears in the assessment records, whose property

is affected by such action, and in the case of a complaint filed with a board of review under Section 16-25 or 16-115, to the taxing body filing the complaint. A copy shall be given to the assessor or chief county assessment officer if his or her assessment was reversed or modified by the board. Written notice shall also be given to any taxpayer who filed a complaint in writing with the board and whose assessment was not changed. The notice shall set forth the assessed value prior to board action; the assessed value after final board action but prior to any equalization; and the assessed value as equalized by the board, if the board equalizes. This notice shall state that the value as certified to the county clerk by the board will be the locally assessed value of the property for that year and each succeeding year, unless revised in a succeeding year in the manner provided in this Code. The written notice shall also set forth specifically the facts upon which the board's decision is based. In counties with less than 3,000,000 inhabitants, the notice ~~and~~ shall also contain the following statement: "You may appeal this decision

to the Property Tax Appeal Board by filing a petition for review with the Property Tax Appeal Board within 30 days after this notice is mailed to you or your agent, or is personally served upon you or your agent"~~; except that, in counties with 3,000,000 or more inhabitants the statement shall be included in the written notice (i) for residential property with 6 units or less beginning with assessments made for the 1996 assessment year and (ii) for all other property in counties with 3,000,000 or more inhabitants beginning with assessments made for the 1997 assessment year~~. In counties with 3,000,000 or more inhabitants, the notice shall also contain the following statement: "You may appeal this decision to the Property Tax Appeal Board by filing a petition for review with the Property Tax Appeal Board within 30 days after the date of this notice or within 30 days after the date that the Board of Review transmits to the county assessor pursuant to Section 16-125 its final action on the township in which your property is located, whichever is later". The Board shall publish its transmittal date of final action on each township in at least one newspaper of general circulation in the county. The changes made by this amendatory Act of the 91st General Assembly apply to the 1999 assessment year and thereafter.

(Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff. 8-14-96.)

(35 ILCS 200/14-15)

Sec. 14-15. Certificate of error; counties of 3,000,000 or more.

(a) In counties with 3,000,000 or more inhabitants, if, after the assessment is certified pursuant to Section 16-150, but subject to the limitations of subsection (c) of this Section, ~~at any time before judgment is rendered in any proceeding to collect or to enjoin the collection of taxes based upon any assessment of any property belonging to any taxpayer,~~ the county assessor discovers an error or mistake in the assessment, the assessor shall execute a certificate setting forth the nature and cause of the error and present the certificate of error to the board of review. Not more than 30 days after presentment of a certificate of error, the board of review may, upon written motion of any one or more members of the board upon good cause shown, review the certificate of error regardless of whether

the taxpayer or owner of the property has filed the certificate as the subject of a complaint with the board. The certificate when endorsed by the county assessor, or when endorsed by the county assessor and board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) where the certificate is executed for any assessment which was the subject of a complaint filed in the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) or where the certificate was presented to the board of review by the assessor for the tax year for which the certificate is issued, may, at the discretion of the county assessor, either be certified according to the procedure authorized by this Section or be presented and received in evidence in any court of competent jurisdiction. When so introduced in evidence such certificate shall become a part of the court records, and shall not be removed from the files except upon the order of the court. The county assessor shall develop reasonable procedures for the filing and processing of certificates of error. Prior to the certification or presentation to the court, the county assessor or his or her designee shall execute and include in the certificate of error a statement attesting that all procedural requirements pertaining to the issuance of the certificate of error have been met and that in fact an error exists.

Certificates of error that will be presented to the court shall be filed ~~A certificate executed under this Section may be issued to the person erroneously assessed. A certificate executed under this~~

~~Section or a list of the parcels for which certificates have been issued may be presented by the assessor to the court~~ as an objection in the application for judgment and order of sale for the year in relation to which the certificate is made or as an amendment to the objection under subsection (b). Certificates of error that are to be certified according to the procedure authorized by this Section need not be presented to the court as an objection or an amendment under subsection (b). The State's Attorney of the county in which the property is situated shall mail a copy of any final judgment entered by the court regarding any ~~the~~ certificate of error to the taxpayer of record for the year in question.

Any unpaid taxes after the entry of the final judgment by the court or certification on certificates issued under this Section may be included in a special tax sale, provided that an advertisement is published and a notice is mailed to the person in whose name the taxes were last assessed, in a form and manner substantially similar to the advertisement and notice required under Sections 21-110 and 21-135. The advertisement and sale shall be subject to all provisions of law regulating the annual advertisement and sale of delinquent property, to the extent that those provisions may be made applicable.

A certificate of error certified ~~executed~~ under this Section ~~allowing homestead exemptions under Sections 15-170, 15-172, and 15-175 of this Act (formerly Sections 19.23-1 and 19.23-1a of the Revenue Act of 1939) not previously allowed~~ shall be given effect by the county treasurer, who shall mark the tax books and, upon receipt

of one of the following certificates ~~certificate~~ from the county assessor or the county assessor and the board of review where the board of review is required to endorse the certificate of error, shall issue refunds to the taxpayer accordingly:

"CERTIFICATION

I, ..., county assessor, hereby certify that the Certificates of Error set out on the attached list have been duly issued to correct an error or mistake in the assessment ~~allow homestead exemptions pursuant to Sections 15-170, 15-172, and 15-175 of the Property Tax Code (formerly Sections 19.23-1 and 19.23-1a of the Revenue Act of 1939) which should have been previously allowed; and that a certified copy of the attached list and this certification have been served upon the county State's Attorney~~."

"CERTIFICATION

I, ..., county assessor, and we, ..., members of the board of review, hereby certify that the Certificates of Error set out on the attached list have been duly issued to correct an error or mistake in the assessment and that any certificates of error required to be endorsed by the board of review have been so endorsed."

The county treasurer has the power to mark the tax books to reflect the issuance of ~~homestead~~ certificates of error certified according to the procedure authorized in this Section for certificates of error issued under Section 14-25 or certificates of error issued to and including 3 years after the date on which the annual judgment and order of sale for that tax year was first entered. The county treasurer has the power to issue refunds to the taxpayer as set forth above until all refunds authorized by this Section have been completed.

~~The county treasurer has no power to issue refunds to the taxpayer as set forth above unless the Certification set out in this Section has been served upon the county State's Attorney.~~

(b) Nothing in subsection (a) of this Section shall be construed

to prohibit the execution, endorsement, issuance, and adjudication of a certificate of error if (i) the annual judgment and order of sale for the tax year in question is reopened for further proceedings upon consent of the county collector and county assessor, represented by the State's Attorney, and (ii) a new final judgment is subsequently entered pursuant to the certificate. This subsection (b) shall be construed as declarative of existing law and not as a new enactment.

(c) No certificate of error, other than a certificate to establish an exemption under Section 14-25, shall be executed for any tax year more than 3 years after the date on which the annual judgment and order of sale for that tax year was first entered.

(d) The time limitation of subsection (c) shall not apply to a certificate of error correcting an assessment to $1, under Section 10-35, on a parcel that a subdivision or planned development has acquired by adverse possession, if during the tax year for which the certificate is executed the subdivision or planned development used the parcel as common area, as defined in Section 10-35, and if

application for the certificate of error is made prior to December 1, 1997.

(e) The changes made by this amendatory Act of of the 91st General Assembly apply to certificates of error issued before, on, and after the effective date of this amendatory Act of the 91st General Assembly.

(Source: P.A. 89-126, eff. 7-11-95; 89-671, eff. 8-14-96; 90-4, eff. 3-7-97; 90-288, eff. 8-1-97; 90-655, eff. 7-30-98.)

(35 ILCS 200/16-95)

Sec. 16-95. Powers and duties of board of appeals or review; complaints. In counties with 3,000,000 or more inhabitants, until the first Monday in December 1998, the board of appeals in any year shall, on complaint that any property is overassessed or underassessed, or is exempt, review and order the assessment corrected.

Beginning the first Monday in December 1998 and thereafter, in counties with 3,000,000 or more inhabitants, the board of review:

(1) shall, on ~~upon~~ written complaint of any taxpayer~~,~~ or any taxing district that has an interest in the assessment~~,~~ that any property is overassessed, underassessed, or exempt, review the assessment and confirm ~~upon good cause shown~~, revise, correct, alter, or modify the ~~any~~ assessment, as appears to be just ~~(or part of an assessment) of any real property; nothing in this Section, however, shall be construed to require a taxpayer to file a complaint with the board~~; and

(2) may, upon written motion of any one or more members of the board that is made on or before the dates specified in notices given under Section 16-110 for each township and upon good cause shown, revise, correct, alter, or modify any assessment (or part of an assessment) of real property regardless of whether the taxpayer or owner of the property has filed a complaint with the board.

~~An assessment shall not be increased until the person to be affected has been notified and given an opportunity to be heard. Before making any reduction in assessments of its own motion, the board shall give notice to the assessor or~~ No assessment may be changed by the board on its own motion until the taxpayer in whose name the property is assessed and the chief county assessment officer who certified the assessment have been notified and given~~, and give the assessor or chief county assessment officer~~ an opportunity to be heard thereon. All taxing districts shall have an opportunity to be heard on the matter.

(Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff. 8-14-96.)

(35 ILCS 200/16-125)

Sec. 16-125. Hearings. In counties with 3,000,000 or more inhabitants, complaints filed with the board of appeals (until the first Monday in December 1998 and the board of review beginning the first Monday in December 1998 and thereafter) shall be classified by townships. All complaints shall be docketed numerically, in the order in which they are presented, as nearly as possible, in books or computer records kept for that purpose, which shall be open to public inspection. The complaints shall be considered by townships until

they have been heard and passed upon by the board. After completing final action on all matters in a township, the board shall transmit such final actions to the county assessor.

A hearing upon any complaint shall not be held until the taxpayer affected and the county assessor have each been notified and have been given an opportunity to be heard. All hearings shall be open to the public and the board shall sit together and hear the representations of the interested parties or their representatives. An order for a correction of any assessment shall not be made unless both commissioners of the board, or a majority of the members in the case of a board of review, concur therein, in which case, an order therefor shall be made in open session and entered in the records of the board. When an assessment is ordered corrected, the board shall transmit a computer printout of the results, or make and sign a brief written statement of the reason for the change and the manner in which the method used by the assessor in making the assessment was erroneous, and shall deliver a copy of the statement to the county assessor. Upon request the board shall hear any taxpayer in opposition to a proposed reduction in any assessment.

The board may destroy or otherwise dispose of complaints and records pertaining thereto after the lapse of 10 years from the date of filing.

(Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff. 8-14-96.)

(35 ILCS 200/16-160)

Sec. 16-160. Property Tax Appeal Board; process. In counties with 3,000,000 or more inhabitants, beginning with assessments made for the 1996 assessment year for residential property of 6 units or less and beginning with assessments made for the 1997 assessment year for all other property, and for all property in any county other than a county with 3,000,000 or more inhabitants, any taxpayer dissatisfied with the decision of a board of review or board of appeals as such decision pertains to the assessment of his or her property for taxation purposes, or any taxing body that has an interest in the decision of the board of review or board of appeals on an assessment made by any local assessment officer, may, (i) in counties with less than 3,000,000 inhabitants within 30 days after the date of written notice of the decision of the board of review or (ii) in assessment year 1999 and thereafter in counties with 3,000,000 or more inhabitants within 30 days after the date of the board of review notice or within 30 days after the date that the board of review transmits to the county assessor pursuant to Section 16-125 its final action on the township in which the property is located, whichever is later ~~Board of Appeals~~, appeal the decision to the Property Tax Appeal Board for review. In any appeal where the board of review or board of appeals has given written notice of the hearing to the taxpayer 30 days before the hearing, failure to appear at the board of review or board of appeals hearing shall be grounds for dismissal of the appeal unless a continuance is granted to the taxpayer. If an appeal is dismissed for failure to appear at a board of review or board of appeals hearing, the Property Tax Appeal Board shall have no jurisdiction to hear any subsequent appeal on that taxpayer's complaint. Such taxpayer or taxing body, hereinafter called the appellant, shall file a petition with the clerk of the

Property Tax Appeal Board, setting forth the facts upon which he or she bases the objection, together with a statement of the contentions of law which he or she desires to raise, and the relief requested. If a petition is filed by a taxpayer, the taxpayer is precluded from filing objections based upon valuation, as may otherwise be permitted by Sections 21-175 and 23-5. However, any taxpayer not satisfied with the decision of the board of review or board of appeals as such decision pertains to the assessment of his or her property need not appeal the decision to the Property Tax Appeal Board before seeking relief in the courts. The changes made by this amendatory Act of the 91st General Assembly shall be effective beginning with the 1999 assessment year.

(Source: P.A. 88-455; 89-126, eff. 7-11-95; 89-671, eff. 8-14-96.)

(35 ILCS 200/20-178 new)

Sec. 20-178. Certificate of error; refund; interest. When the county collector makes any refunds due on certificates of error issued under Sections 14-15 through 14-25 that have been either certified or adjudicated, the county collector shall pay the taxpayer interest on the amount of the refund at the rate of 0.5% per month.

No interest shall be due under this Section for any time prior to 60 days after the effective date of this amendatory Act of the 91st General Assembly. For certificates of error issued prior to the effective date of this amendatory Act of the 91st General Assembly, the county collector shall pay the taxpayer interest from 60 days after the effective date of this amendatory Act of the 91st General Assembly until the date the refund is paid. For certificates of error issued on or after the effective date of this amendatory Act of the 91st General Assembly, interest shall be paid from 60 days after the certificate of error is issued by the chief county assessment officer to the date the refund is made. To cover the cost of interest, the county collector shall proportionately reduce the distribution of taxes collected for each taxing district in which the property is situated.

This Section shall not apply to any certificate of error granting a homestead exemption under Section 15-170, 15-172, or 15-175.

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 Parker, **Senate Bill No. 46** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Welch, **Senate Bill No. 202** having been printed, was taken up and read by title a second time.

Senator Welch offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 202, on page 1, line 5, by changing "2, 3," to "3"; and
on page 1, by deleting lines 6 through 31; and
by deleting all of pages 2, 3, and 4; and

on page 5, by deleting lines 1 through 14; and
on page 6, by replacing lines 2 through 14 with the following:
"within 10 days after employment shall submit in person or in writing the business name and address where he or she is employed. Multiple businesses or work locations must be reported to the agency having

jurisdiction. The sex offender must submit his or her"; and
on page 8, by replacing lines 28 through 32 and by replacing all of page 9 and on page 10, by replacing lines 1 and 2 with the following: "110 and 120 as follows:"; and
on page 10, by replacing lines 13 through 32 and by replacing all of page 11 with the following:

"(730 ILCS 152/120)

Sec. 120. Community notification of sex offenders.

(a) The sheriff of the county, except Cook County, shall disclose to the following the name, address, date of birth, place of employment, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) (Blank);

(2) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the county where the sex offender is required to register or is employed ~~resides~~; and

(3) Child care facilities located in the county where the sex offender is required to register or is employed. ~~resides;~~

(a-2) The sheriff of Cook County shall disclose to the following the name, address, date of birth, place of employment, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located within the region of Cook County, as those public school districts and nonpublic schools are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed ~~resides~~; and

(2) Child care facilities located within the region of Cook County, as those child care facilities are identified in LEADS, other than the City of Chicago, where the sex offender is required to register or is employed ~~resides~~.

(a-3) The Chicago Police Department shall disclose to the following the name, address, date of birth, place of employment, and offense or adjudication of all sex offenders required to register under Section 3 of the Sex Offender Registration Act:

(1) School boards of public school districts and the principal or other appropriate administrative officer of each nonpublic school located in the police district where the sex offender is required to register or is employed ~~resides~~ if the offender is required to register or is employed ~~resides~~ in the City of Chicago; and

(2) Child care facilities located in the police district where the sex offender is required to register or is employed ~~resides~~ if the offender is required to register or is employed ~~resides~~ in the City of Chicago.

(a-4) The Department of State Police shall provide a list of sex offenders required to register to the Illinois Department of Children and Family Services.

(b) The Department of State Police and any law enforcement agency ~~having jurisdiction~~ may disclose, in the Department's or agency's discretion, the following information to any person likely to encounter a sex offender required to register under Section 3 of the Sex Offender Registration Act:

(1) The offender's name, address, and date of birth.

(2) The offense for which the offender was convicted.

(3) Adjudication as a sexually dangerous person.

(4) The offender's photograph or other such information that will help identify the sex offender.

(5) Offender employment information, to protect public

safety.

(c) The name, address, date of birth, and offense or adjudication for sex offenders required to register under Section 3 of the Sex Offender Registration Act shall be open to inspection by the public as provided in this Section. Every municipal police department shall make available at its headquarters the information on all sex offenders who are required to register in the municipality under the Sex Offender Registration Act. The sheriff shall also make available at his or her headquarters the information on all sex offenders who are required to register under that Act and who live in unincorporated areas of the county. The information shall be made available for public inspection according to procedures set by the department or sheriff, upon request of any person presented in writing, in person, or by telephone. The law enforcement agency may make available the information on all sex offenders residing within the county.

(Source: P.A. 89-428, eff. 6-1-96; 89-462, eff. 6-1-96; 89-707, eff. 6-1-97; 90-193, eff. 7-24-97; revised 10-31-98.)".

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.

On motion of Senator Parker, **Senate Bill No. 323** having been printed, was taken up and read by title a second time.

Senator Parker offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 323 on page 1, line 6, by replacing "Sections 4.02 and 6" with "Section 4.02"; and

on page 1, line 12, after "dentist", by inserting "or dental hygienist"; and

by deleting lines 21 through 30 on page 1 and lines 1 through 5 on page 2. (40 ILCS 5/20)

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.

On motion of Senator O'Malley, **Senate Bill No. 359** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 359 by replacing everything after the enacting clause with the following:

"Section 5. The Civil Administrative Code of Illinois is amended by adding Section 56.3 as follows:

(20 ILCS 1405/56.3 new)

Sec. 56.3. Insurance Fraud Task Force.

(a) The Insurance Fraud Task Force is hereby established and shall consist of the following:

(1) The Director of Insurance or his or her designee.

(2) The Director of State Police or his or her designee.

(3) The Attorney General or his or her designee.

(4) Five representatives appointed by the Governor by September 1, 1999 as follows:

(A) One representative of a county sheriff's department.

(B) One representative of a United States criminal investigative department or agency.

(C) One representative of a prosecuting authority of a city, a village, an incorporated town, a county, or this State.

(D) Two insurance consumers.

(5) Seven representatives of insurers appointed by the Director of Insurance by September 1, 1999, representing large, medium, and small property, casualty, disability, life, and health insurers in this State, and one representative of a health maintenance organization appointed by the Director of Insurance by September 1, 1999.

(b) The Insurance Fraud Task Force shall do all of the following:

(1) Investigate the issue of organized insurance fraud and methods to combat organized insurance fraud.

(2) Examine ways to unite the resources of the insurance industry with the appropriate components of federal and State criminal justice systems so that organized insurance fraud schemes are identified and thoroughly investigated and the perpetrators are prosecuted in the best interests of justice.

(3) Examine the concept of creating a private agency to assist in combating organized insurance fraud and all ways to fund the agency, including current funding of insurance mechanisms related to insurance crimes.

(4) Report to the Governor and the General Assembly no later than July 1, 2000 on its findings and recommendations.

(c) This Section is repealed on July 1, 2000.

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 T. Walsh, **Senate Bill No. 363** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Insurance and Pensions, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 363 by replacing everything after the enacting clause the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 491.1, 492.2, 494.1, 496.2, 497.1, 499.1, 505.1, 509.1, and 510.2 and adding Section 495.2 as follows:

(215 ILCS 5/491.1) (from Ch. 73, par. 1065.38-1)

Sec. 491.1. Definitions. In addition to the definitions in Section 2, the following definitions apply to this Article.

"Car rental limited licensee" means a person authorized pursuant to the provisions of Section 495.2 to sell certain coverages relating to the rental of vehicles.

~~(a)~~ Insurance. Insurance is any of the classes of insurance found in Section 4.

~~(b)~~ Insurance producer. An insurance producer is an individual who solicits, negotiates, effects, procures, renews, continues or binds policies of insurance covering property or risks located in

Illinois.

~~(c)~~ License. A license is a document authorizing an individual to act as an insurance producer, limited insurance representative or temporary insurance producer, as specified in such document.

~~(d)~~ Limited insurance representative. A limited insurance representative is an individual appointed by an insurance company, health maintenance organization, or limited health service organization to represent that company or organization regarding the types of insurance set forth in Section 495.1.

~~(e)~~ Registered firm. A registered firm is a corporation, partnership, or limited liability company which transacts the business of insurance as an insurance agency.

"Rental agreement" means a written agreement setting forth the terms and conditions governing the use of a vehicle provided by a rental company for rental or lease.

"Rental company" means a person, or a franchisee of such person, in the business of providing primarily private passenger vehicles to the public under a rental agreement for a period not to exceed 30 days.

"Rental period" means the term of the rental agreement.

"Renter" means a person obtaining the use of a vehicle from a rental company under the terms of a rental agreement for a period not to exceed 30 days.

"Vehicle" or "rental vehicle" means a motor vehicle of (1) the private passenger type, including passenger vans, minivans, and sport utility vehicles or (2) the cargo type, including cargo vans, pick up trucks, and trucks with a gross vehicle weight of less than 26,000 pounds the operation of which does not require the operator to possess a commercial driver's license.

(Source: P.A. 90-499, eff. 8-19-97.)

(215 ILCS 5/492.2) (from Ch. 73, par. 1065.39-2)

Sec. 492.2. License Required.

(a) No person shall act as or hold himself out to be an insurance producer unless duly licensed in accordance with this Article for the class or classes of insurance as to which he acts or holds himself out as an insurance producer.

(b) No person shall, for a fee, engage in the business of offering any advice, counsel, opinion or service with respect to the benefits, advantages or disadvantages under any policy of insurance that could be issued in Illinois, unless that person is

(1) engaged or employed as an attorney licensed to practice law and performing duties incidental to that position;

(2) a licensed insurance producer, limited insurance representative or temporary insurance producer offering advice concerning a class of insurance as to which he is licensed to transact business;

(3) a trust officer of a bank performing duties incidental to his position;

(4) an actuary or a certified public accountant engaged or employed in a consulting capacity, performing duties incidental to that position; or

(5) a licensed public adjuster acting within the scope of his license.

(c) In addition to any other penalty set forth in this Article, any individual violating paragraph (a) or (b) is guilty of a Class A misdemeanor. Any individual violating paragraph (a) or (b) and misappropriating or converting any monies collected in conjunction with such violation is guilty of a Class 4 felony.

(Source: P.A. 83-801.)

(215 ILCS 5/494.1) (from Ch. 73, par. 1065.41-1)

Sec. 494.1. Insurance producer license; application and

examination.

(a) Each application for an insurance producer license shall be made on a form specified by the Director, and shall be signed by the applicant declaring under penalty of refusal, suspension or revocation of the license that the statements made in the application are true, correct and complete to the best of the applicant's knowledge and belief. Before approving the application, the Director shall satisfy himself that the applicant (1) is at least 18 years of age; (2) is competent, trustworthy and of good business reputation; (3) has completed a pre-licensing course of study; and (4) ~~has, pursuant to Section 508.2, filed a bond which is in force and effect~~

~~or is exempt from the requirement of filing such bond; and (5)~~ has paid the fees required by Section 509.1. A pre-licensing course of study for each class of insurance for which an insurance producer license is requested shall be established in accordance with rules and regulations prescribed by the Director and shall consist of the following minimum hours:

Class of Insurance	Number of Hours
Life (Class 1 (a))	15
Accident/Health (Class 1(b) or 2(a))	15
Fire (Class 3)	15
Casualty (Class 2)	15
Motor Vehicle (Class 2(b) or 3(e))	7 1/2

(b) Applicants for an insurance producer license shall pass, within 90 days of each other, both part one and part 2 of a written examination unless exempt pursuant to Section 498.1. The examination shall reasonably test the knowledge of the applicant concerning the class or classes of insurance for which a license is applied, the duties and responsibilities of an insurance producer and the insurance laws and rules of Illinois. The examinations provided for by this Section shall be conducted under rules and regulations prescribed by the Director. The Director may make arrangements, including contracting with an outside testing service, for administering such examinations and collecting the non-refundable application fee provided for by Section 509.1.

Each applicant required to take an examination shall, at the time of request for examination, enclose with the application a non-refundable application fee payable to the Director, as provided for in Section 509.1, plus a separate remittance payable to the designated testing service for the total fees the testing service charges for each of the various services being requested by the applicant. An applicant who fails to appear for the examination as scheduled, or appears but fails to pass, shall not be entitled to any refund, and shall be required to submit a new request for examination together with all of the requisite fees before being rescheduled for another examination at a later date.

(c) Before each license renewal, an insurance producer shall satisfactorily complete at least 15 hours of course study in accordance with rules prescribed by the Director. The Director may not approve a course of study unless the course provides for classroom, seminar, or self-study instruction methods. A course given in a combination instruction method of classroom or seminar and self-study shall be deemed to be a self-study course unless the classroom or seminar certified hours meets or exceeds two-thirds of total hours certified for the course. The self-study material used in the combination course must be directly related to and complement the classroom portion of the course in order to be considered for credit. An instruction method other than classroom or seminar shall be considered as self-study methodology. Self-study credit hours require the successful completion of an examination covering the self-study material, which shall not be self-evaluated. Provided,

however, that if the self-study material is completed through the use of an approved computerized interactive format whereby the computer

validates the successful completion of the self-study material, no additional examination shall be required. The self-study credit hours contained in a certified course shall be considered classroom hours when at least two-thirds of the hours are given as classroom or seminar instruction.

(d) An insurance producer license shall automatically terminate when an insurance producer fails to successfully meet the requirements of paragraph (c) of this Section.

(e) The holder of an insurance producer license shall inform the Director in writing of a change in his residential address within 30 days of such change.

(f) Each provider of a prelicensing or continuing education course required by this Section shall pay a registration fee and a course certification fee for each course being certified as provided by Section 509.1.

(Source: P.A. 89-152, eff. 1-1-97.)

(215 ILCS 5/495.2 new)

Sec. 495.2. Car rental limited license for rental companies.

(a) A rental company must obtain a producer license, become a registered firm, or obtain a car rental limited license before offering or selling insurance in connection with and incidental to the rental of vehicles. The sale of the insurance may occur at the rental office or by pre-selection of coverage in a master, corporate, group rental, or individual agreement. The following general categories of coverage may be offered or sold:

(1) personal accident insurance covering the risks of travel including, but not limited to, accident and health insurance that provides coverage, as applicable, to renters and other rental vehicle occupants for accidental death or dismemberment and reimbursement for medical expenses resulting from an accident that occurs during the rental period;

(2) liability insurance, including uninsured and underinsured motorist coverage, that provides coverage, as applicable, to renters and other authorized drivers of rental vehicles for liability arising from the operation of the rental vehicle;

(3) personal effects insurance that provides coverage, as applicable, to renters and other vehicle occupants for the loss of, or damage to, personal effects that occurs during the rental period;

(4) roadside assistance and emergency sickness protection programs;

(5) any other travel or auto-related coverage that a rental company offers in connection with and incidental to the rental of vehicles.

(b) No insurance may be offered by a car rental limited licensee pursuant to this Section unless:

(1) the rental company has applied for and obtained a car rental limited license;

(2) the rental period of the rental agreement does not exceed 30 consecutive days;

(3) at every rental location where rental agreements are executed, brochures or other written materials are readily available to the prospective renter that:

(A) summarize clearly and correctly, the material terms of coverage offered to renters, including the identity of the insurer;

(B) disclose that the coverage offered by the rental company may provide a duplication of coverage already

provided by a renter's personal automobile insurance policy, homeowner's insurance policy, personal liability insurance policy, or other source of coverage;

(C) state that the purchase by the renter of the kinds of coverage specified in this Section is not required in order to rent a vehicle; and

(D) describe the process for filing a claim in the event the renter elects to purchase coverage and in the event of a claim; and

(4) evidence of coverage in the rental agreement is disclosed to every renter who elects to purchase such coverage.

(c) Car rental company franchisees shall apply for a car rental limited license independent of the franchisor if insurance provided pursuant to this Section is offered by the franchisee.

(d) A car rental limited license issued under this Section shall also authorize any employee of the car rental limited licensee to act individually on behalf and under the supervision of the car rental limited licensee with respect to the kinds of coverage specified in this Section.

(e) A rental company licensed pursuant to this Section shall conduct a training program in which employees being trained shall receive basic instruction about the kinds of coverage specified in this Section and offered for purchase by prospective renters of rental vehicles.

(f) Notwithstanding any other provision of this Section or any rule adopted by the Director, a car rental limited licensee pursuant to this Section shall not be required to treat moneys collected from renters purchasing insurance when renting vehicles as funds received in a fiduciary capacity, provided that the charges for coverage shall be itemized and be ancillary to a rental transaction.

(g) The sale of insurance not in conjunction with a rental transaction shall not be permitted.

(h) No car rental limited licensee under this Section shall advertise, represent, or otherwise hold itself or any of its employees out as licensed insurers, insurance producers, insurance agents, or insurance brokers.

(i) No direct commissions may be paid to rental car company employees by the insurer or the customer purchasing insurance products. The rental car company may include insurance products in an overall employee performance compensation incentive program.

(j) An application for a car rental limited license shall be made on a form specified by the Director.

(215 ILCS 5/496.2) (from Ch. 73, par. 1065.43-2)

Sec. 496.2. License.

(a) Insurance producer.

(1) An applicant who has met the requirements of Section 494.1 shall be issued a perpetual insurance producer license.

(2) Each insurance producer license shall remain in effect as long as the holder of the license ~~maintains in force and effect the bond required by Section 508.2 and~~ pays the ~~annual~~ fee

required by Section 509.1 by the date due, unless the license is revoked or suspended pursuant to Section 505.1. The ~~annual~~ fee required by Section 509.1 shall not be required of a licensed insurance producer who enters the military service of the United States. This waiver shall continue in effect until such time as the insurance producer is discharged from the military service.

(3) An insurance producer who does not maintain his insurance producer license in effect pursuant to paragraph ~~(a)~~(2) of this subsection ~~Section~~ may, within 36 months from the due date of the unpaid ~~annual~~ fee, make application for the same license without the necessity of passing a written examination.

Payment of the ~~annual~~ fee ~~and proof a bond is in force~~ must accompany the application. In addition, proof of compliance with Section 494.1(c) must be received by the Department before the license is issued ~~accompany the application, where applicable~~.

If an insurance producer fails to pay the ~~annual~~ fee by the due date but applies for reinstatement of the license within 36 months of the due date, then the producer shall pay the reinstatement fee required by Section 509.1 of this Code and either:

A. The ~~annual~~ license fee which will cause a license to be issued with a current effective date; or

B. The ~~annual~~ license fee which will cause a license to be dated the expiration date of the last active license, provided the producer applies for reinstatement within 2 months of the due date.

If a license is issued pursuant to option A of this paragraph with a lapse in licensing, the producer must sign a statement attesting that he has not been active as an insurance producer during the period since the last active license.

(4) Of the insurance producer licenses renewed during the one-year period following the effective date of this amendatory Act of the 91st General Assembly, approximately 50% shall be for a duration of one year and approximately 50% shall be for a duration of 2 years. All subsequent renewals shall be for a duration of 2 years.

(b) Limited Insurance Representative.

(1) An applicant who has met the requirements of Section 495.1 shall be issued a perpetual limited insurance representative license.

(2) A ~~Each~~ limited insurance representative license shall remain in effect as long as the appointing insurance company pays the respective fee required by Section 509.1 prior to January 1 of each year, unless the license is revoked or suspended pursuant to Section 505.1. Failure of the insurance company to pay the license fee or to submit the required documents shall cause immediate termination of the limited insurance representative license regarding which such failure occurs.

(3) A ~~Each~~ limited insurance representative license may be terminated by the insurance company or the licensee.

(c) Car rental limited licenses.

(1) An applicant who has met the requirements of Section 495.2 shall be issued a car rental limited license.

(2) A car rental limited license for a rental company shall remain in effect as long as the car rental limited licensee pays the respective fee required by Section 509.1 prior to the next fee date unless the car rental license is revoked or suspended pursuant to Section 505.1. Failure of the car rental limited licensee to pay the license fee or to submit the required documents shall cause immediate suspension of the car rental limited license.

(3) A car rental limited license for rental companies may be voluntarily terminated by the car rental limited licensee. The license fee shall not be refunded upon termination of the car rental limited license by the car rental limited licensee.

(d) ~~(c)~~ License Content. The ~~Each~~ license shall contain the name, residential address and personal identification number of the licensee, the date the license was issued, general conditions relative to the license's expiration or termination, the class or classes of insurance covered by the license, and any other information the Director considers proper. A ~~Each~~ limited insurance

representative license shall also contain the name and address of the appointing insurance company.

(Source: P.A. 88-313.)

(215 ILCS 5/497.1) (from Ch. 73, par. 1065.44-1)

Sec. 497.1. Nonresident licensing.

(a) A nonresident may apply for an insurance producer license or limited insurance representative license if (1) the applicant holds a similar license from his state of residence and (2) the applicant's state of residence accepts Illinois residents for licensing. Each nonresident applicant shall be in compliance with the requirements of subsection ~~paragraph~~ (a) of Section 494.1, except that requirement (3) of subsection ~~paragraph~~ (a) shall not be applicable to nonresident applicants.

(b) The requirements of subsection ~~paragraph~~ (c) of Section 494.1 shall not apply to nonresident applicants. If an applicant's state of residence accepts compliance with the requirements of subsection ~~paragraph~~ (c) of Section 494.1 by an Illinois insurance producer as compliance with that state's continuing education requirements, a nonresident applicant may fulfill the requirements of subsection ~~paragraph~~ (c) of Section 494.1 by demonstrating compliance with the continuing education requirements of the applicant's state of residence. A nonresident applicant may be licensed without written examination if (1) the state in which the applicant resides requires no similar examination or (2) the public official having supervision of insurance in the applicant's state of residence certifies that the applicant has passed a written examination for the classes of insurance applied for or was licensed prior to the time a written examination was required.

(c) A nonresident applicant shall file with the Director an affidavit appointing the Director and his or her successor in office as such applicant's agent upon whom all lawful process in any action, suit or legal proceeding against the applicant may be served, and

shall agree that any such lawful process is of the same legal force and validity as personal service of process upon such applicant. The Director shall, within 10 days after receiving process, forward a copy of such process by registered or certified mail to the individual for whom he has received such process at the individual's address of record.

(d) Whenever, by the laws or regulations of any other state, any limitation of rights and privileges, conditions precedent, or any other requirements are imposed upon residents of this State who are nonresident applicants or licensees of such other state in addition to, or in excess of, those imposed on nonresidents under this Code, the same such requirements shall be imposed upon such residents of such other state.

(Source: P.A. 89-152, eff. 1-1-97.)

(215 ILCS 5/499.1) (from Ch. 73, par. 1065.46-1)

Sec. 499.1. Registered firms.

(a) Any corporation, partnership, or limited liability company transacting insurance business as an insurance agency shall register with the Director before transacting insurance business in this State. Such registration shall remain in effect as long as the firm pays the ~~annual~~ fee required by Section 509.1 of this Code by the date due, unless the registration is revoked or suspended pursuant to Section 505.1 of this Code.

(b) Each firm required to register before acting as a registered firm pursuant to this Article shall appoint one or more licensed insurance producers who are officers, directors, or partners in the firm to be responsible for the firm's compliance with the insurance laws and Title 50 of the Illinois Administrative Code. Such individual or individuals shall submit to the Director a registration

form and the fees required by Section 509.1. The Director shall prescribe the registration form and may require any documents reasonably necessary to verify the information contained in the registration form. Within 30 days of a change in officers, directors, or partners who are appointed to be responsible for the firm's compliance with the insurance laws and Title 50 of the Illinois Administrative Code, the firm shall report the change to the Department.

(c) The registered firm shall inform the Director in writing of a change in its business address within 30 days of such change.

(d) Each registered firm shall disclose its members, officers or directors who are authorized to act as insurance producers, and report any changes in such personnel to the Director within 30 days of such changes.

(e) (Blank).

(Source: P.A. 89-240, eff. 1-1-96; 90-41, eff. 10-1-97; 90-499, eff. 8-19-97; 90-655, eff. 7-30-98.)

(215 ILCS 5/505.1) (from Ch. 73, par. 1065.52-1)

Sec. 505.1. License suspension, revocation, or denial.

(a) Any license issued under this Article may be suspended or revoked, and any application for a license may be denied, if the Director finds that the licensee or applicant:

(1) has wilfully violated any provision of this Code or any

rule or regulation promulgated by the Director;

(2) has intentionally made a material misstatement in his application for a license;

(3) has obtained or attempted to obtain a license through misrepresentation or fraud;

(4) has misappropriated or converted to his own use, or improperly withheld, money required to be held in a fiduciary capacity;

(5) has intentionally misrepresented the terms of any actual or proposed insurance policy;

(6) has, in the transaction of business under his license, used fraudulent, coercive or dishonest practices, or has demonstrated incompetence, untrustworthiness or financial irresponsibility;

(7) has been, within the past 3 years, convicted of a felony, unless the individual demonstrates to the Director sufficient rehabilitation to warrant the public trust;

(8) has knowingly accepted insurance business from an individual who is not licensed;

(9) has failed to appear without reasonable cause or excuse in response to a subpoena lawfully issued by the Director;

(10) has had his license suspended or revoked or his application denied in any other State, district, territory or province on grounds similar to those stated in this Section;

(11) (Blank) ~~has violated any of the provisions of Section 504.1~~;

(12) has failed to meet the education requirements of subsection ~~paragraph~~ (c) of Section 494.1;

(13) has failed to report a felony conviction, as required by Section 503.1;

(14) has knowingly employed, contracted or engaged in any insurance related capacity any person whose license as an insurance producer or limited insurance representative has been revoked within the previous three years or whose request for a license has been refused or suspended pursuant to this Section at the time of such employment, engaging or contracting; or

(15) has failed to make satisfactory repayment to the Illinois Student Assistance Commission for a delinquent or

defaulted student loan.

(b) Suspension or revocation of a license or the denial of an application pursuant to this Section shall be by written order sent to the licensee or applicant by certified or registered mail at the address specified in the records of the Department. The licensee or applicant may in writing request a hearing within 30 days from the date of mailing. If no written request is made, such order shall be final upon the expiration of said 30 days.

(c) If the licensee or applicant requests a hearing pursuant to this Section the Director shall issue a written notice of hearing sent to the licensee or applicant by certified or registered mail at his address, as specified in the records of the Department, and stating:

(1) the grounds, charges or conduct which justifies

suspension or revocation or denial under this Section;

(2) a specific time for the hearing, which may not be less than 20 nor more than 30 days after the mailing of the notice of hearing; and

(3) a specific place for the hearing, which may be either in the City of Springfield or Chicago or in the county where the licensee's principal place of business is located.

(d) Upon the suspension or revocation of a license, the licensee or other person having possession or custody of such license shall promptly deliver it to the Director in person or by mail. The Director shall publish all suspensions and revocations after such suspensions or revocations become final in a manner designed to notify interested insurance companies and other persons.

(e) Any individual whose license is revoked or whose application is denied pursuant to this Section shall be ineligible to apply for any license for 3 years. No person whose license as an insurance producer or limited representative has been revoked, suspended or denied shall be employed, contracted or engaged in any insurance related capacity during the time the revocation, suspension or denial is in effect. A suspension pursuant to this Section may be for a period of up to 2 years.

(f) In addition to or instead of a denial, suspension or revocation of a license pursuant to this Section, the licensee may be subjected to a civil penalty of up to $1,000 for each cause for denial, suspension or revocation. Such penalty is enforceable under Section 403A(5) of this Code.

(Source: P.A. 89-318, eff. 1-1-96.)

(215 ILCS 5/509.1) (from Ch. 73, par. 1065.56-1)

Sec. 509.1. Fees.

(a) The fees required by this Article are as follows:

(1) A ~~An annual~~ fee of $75 per year for an insurance producer license;

(2) A fee of $25 for the issuance of a temporary insurance producer license;

(3) A ~~An annual~~ registration fee of $50 payable once every 2 years ~~$25~~ for a business firm to register;

(4) A fee of $50 payable once every 2 years ~~An annual $25 fee~~ for a limited insurance representative license;

(5) A $25 application fee for the processing of each request to take the written examination for an insurance producer license;

(6) An annual registration fee of $500 for an education provider to register;

(7) A certification fee of $25 for each certified prelicensing or continuing education course and an annual fee of $10 for renewing the certification of each such course; ~~and~~

(8) A license reinstatement fee of $50 for reinstating a

license which lapsed because the ~~annual~~ fee was not received by the due date; ~~.~~

(9) A registration fee of $15 for reinstating a firm registration that lapsed because the ~~annual~~ fee was not received by the due date; and ~~.~~

(10) A fee of $50 payable once every 2 years for a car rental limited license.

(b) Except as otherwise provided, all fees paid to and collected by the Director under this Section shall be paid promptly after receipt thereof, together with a detailed statement of such fees, into a special fund in the State Treasury to be known as the Insurance Producer Administration Fund. The monies deposited into the Insurance Producer Administration Fund shall be used only for payment of the expenses of the Department in the execution, administration, and enforcement of the insurance laws of this State, and shall be appropriated as otherwise provided by law for the payment of such expenses with first priority being any expenses incident to or associated with the administration and enforcement of this Article.

(Source: P.A. 89-152, eff. 1-1-97; 90-372, eff. 7-1-98; 90-655, eff. 7-30-98.)

(215 ILCS 5/510.2) (from Ch. 73, par. 1065.57-2)

Sec. 510.2. Exemptions from licensing requirements. The provisions of Sections 492.2, 494.1, 495.1, 495.2, 496.2, 497.1, 498.1, 499.1, 500.1 and 501.2 shall not apply to:

(a) any regularly salaried officer or employee of an insurance company, who is engaged in the performance of usual and customary executive, administrative or clerical duties;

(b) salaried employees in the office of an insurance producer, limited insurance representative, car rental limited licensee, or registered firm, who devote their full time to clerical and administrative services, including the incidental taking of insurance applications and receipt of premiums in the office of their employer, as long as such employees do not receive any commissions on such applications and their compensation is not varied by the volume of applications or premiums taken or received, except as authorized under subsection (g) of Section 495.2;

(c) persons who secure and furnish information for the purpose of group life insurance, annuities, group or blanket accident and health insurance, or for the purpose of enrolling individuals under such plans, issuing certificates under such plans or otherwise assisting in administering such plans, where no commission is paid for such service;

(d) advisory organizations, according to Article VIIA of this Code, or persons who furnish information for the purpose of life or accident and health insurance distributed on a mass merchandise basis and administered by group methods;

(e) employers or their officers or employees, or the trustees of any employee trust plan, to the extent that such employers, officers, employees or trustees are engaged in the administration or operation of any program of employee benefits for their own employees or the employees of their subsidiaries or affiliates, which program involves the use of insurance issued by an insurance company, as long as such employers, officers, employees or trustees are not in any manner compensated, directly or indirectly, by the company issuing the contracts; or

(f) employees of insurance companies or organizations employed by insurance companies who are engaging in the inspection, rating or classification of risks, or in the supervision of the training of insurance producers, limited insurance representatives, car rental limited licensees, or temporary insurance producers, and who are not

individually engaged in the solicitation or negotiation of policies or contracts for insurance.
(Source: P.A. 83-1299.)

(215 ILCS 5/504.1 rep.)

(215 ILCS 5/508.2 rep.)

Section 10. The Illinois Insurance Code is amended by repealing Sections 504.1 and 508.2.

Section 99. Effective date. This Act takes effect January 1, 2000.".

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 363, AS AMENDED, in the introductory clause to Section 5 of the bill by changing "505.1" to "505.1, 508.2"; and
in the body of Section 5 of the bill by inserting immediately below the last line of Sec. 505.1 the following:

"(215 ILCS 5/508.2) (from Ch. 73, par. 1065.55-2)

Sec. 508.2. Bond required of Insurance Producers.

(1) Each producer and registered firm who places insurance either directly or indirectly with an insurer with which the producer or registered firm does not have an agent contact shall maintain in force while licensed a bond in favor of the people of the State of Illinois executed by an authorized surety company and payable to any party injured under the terms of the bond. The bond shall be continuous in form and in the amount of $2,500 or 5% of the premiums brokered in the previous calendar year, whichever is greater, but not to exceed $50,000 total aggregate liability. The bond shall be conditioned upon full accounting and due payment to the person or company entitled thereto, of funds coming into the insurance producer's possession as an incident to insurance transactions under the ~~his~~ license or surplus line insurance transactions under the ~~his~~ license as a surplus line producer.

(2) Authorized insurance producers of a registered firm may meet the requirements of this Section with a bond in the name of the registered firm, continuous in form and in the amounts set forth in subsection (1) of this Section.

(3) ~~Such bond shall remain in force and effect until the surety is released from liability by the Director or until the bond is canceled by the surety.~~ The surety may cancel the bond and be released from further liability thereunder upon 30 days' written notice in advance to the Principal ~~Director~~. Such cancellation shall not affect any liability incurred or accrued thereunder before the termination of the 30-day period. ~~Upon receipt of any notice of cancellation, the Director shall immediately notify the licensee.~~

(4) Such license shall not be valid ~~automatically terminate upon there being no bond in force, or~~ if the producer acts without a bond which is required pursuant to this Section, and the license shall be returned by its lawful custodian to the Director for cancellation.

(5) If a party injured under the terms of the bond requests the producer to provide the name of the surety and the bond number, the producer must provide the information within 3 working days after receiving the request.

(6) An association may meet the requirements of this Section for

all of its members with a bond in the name of the association that is continuous in form and in the amounts set forth in subsection (1) of this Section.

(Source: P.A. 88-313.)"; and

in the list of captions preceding Section 10 of the bill, by deleting "(215 ILCS 5/508.2 rep.)"; and

in Section 10 of the bill, by changing "Sections 504.1 and 508.2" to "Section 504.1".

Senator T. Walsh offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 363, AS AMENDED, in Section 5 of the bill, in Sec. 494.1, in subsection (a), by replacing "~~has, pursuant to Section 508.2, filed a bond which is in force and effect or is exempt from the requirement of filing such bond; and (5)~~" with "has certified that the~~, pursuant to Section 508.2, filed a~~ bond required by Section 508.2 ~~which~~ is in force and effect or that the applicant is exempt from the requirement of obtaining ~~filing~~ such bond; and (5)"; and

in Section 5 of the bill, in Sec. 494.1, in subsection (c), by changing "least 15 hours" to "least 30 ~~15~~ hours"; and

in Section 5 of the bill, in Sec. 496.2, in subsection (a), by adding immediately below the last line of item (4) the following:

"For the first license renewal period following the effective date of this amendatory Act of the 91st General Assembly, producers renewing a license for one year shall have no continuing education requirement; producers renewing a license for 2 years shall satisfactorily complete at least 15 hours of continuing education. All subsequent renewals shall meet the continuing education requirements pursuant to subsection (c) of Section 494.1 of this Act."; and

in Section 5 of the bill, in Sec. 508.2, by inserting immediately below the last line of subsection (2) the following:

"Insurance producers may meet the requirements of this Section with a bond in the name of an association. An individual producer remains responsible for assuring that a producer bond is in effect and is for the correct amount. The association must have been in existence for 5 years, have common membership, and been formed for a purpose other than obtaining a bond."; and

in Section 5 of the bill, in Sec. 508.2, by replacing all of subsection (4) with the following:

"(4) Such license may be revoked ~~shall automatically terminate upon there being no bond in force, or~~ if the producer acts without a bond which is required pursuant to this Section~~, and the license shall be returned by its lawful custodian to the Director for cancellation~~."; and

in Section 5 of the bill, in Sec. 509.1, in subsection (a), by replacing item (4) with the following:

"(4) An annual $25 fee for a limited insurance representative license;".

The motion prevailed and the amendment was adopted and ordered printed.

Senator T. Walsh offered the following amendment and moved its adoption:

AMENDMENT NO. 4

AMENDMENT NO. 4. Amend Senate Bill 363, AS AMENDED, by deleting all of Section 10 of the bill.

The motion prevailed and the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1, 2, 3 and 4, were ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator O'Malley, **Senate Bill No. 376** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 376 by replacing the title with the following:

"AN ACT in relation to truth in taxation."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 18-55 and by adding Division 2.1 to Article 18 as follows:

(35 ILCS 200/18-55)

Sec. 18-55. Short title and definitions. This Division 2 ~~Section and Sections 18-60 through 18-95~~ may be cited as the Truth in Taxation Law. As used in this Division 2 ~~Sections 18-60 through 18-95~~:

(a) "Taxing district" has the meaning specified in Section 1-150 and includes home rule units, but from January 1, 2000 through December 31, 2002 does not include taxing districts that have territory in Cook County.~~;~~

(b) "Aggregate levy" means the annual corporate levy of the taxing district and those special purpose levies which are made annually (other than debt service levies and levies made for the purpose of paying amounts due under public building commission leases).~~;~~

(c) "Special purpose levies" include, but are not limited to, levies made on an annual basis for contributions to pension plans, unemployment and worker's compensation, or self-insurance.~~;~~

(d) "Debt service" means levies made by any taxing district pursuant to home rule authority, statute, referendum, ordinance, resolution, indenture, agreement, or contract to retire the principal or pay interest on bonds, notes, debentures or other financial instruments which evidence indebtedness.

(Source: P.A. 86-957; 86-1475; 88-455; revised 10-28-98.)

(35 ILCS 200/Art. 18, Div. 2.1 heading new)

DIVISION 2.1. COOK COUNTY TRUTH IN TAXATION

(35 ILCS 200/18-101.1 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.1. Short title. This Division 2.1 may be cited as the Cook County Truth in Taxation Law.

(35 ILCS 200/18-101.5 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.5. Definitions. As used in this Division 2.1:

"Aggregate levy" or "levy" means the annual corporate levy of the taxing district and those special purpose levies which are made annually (other than debt service levies and levies made for the purpose of paying amounts due under public building commission leases).

"Debt service" means levies made by a taxing district pursuant to home rule authority, statute, referendum, ordinance, resolution, indenture, agreement, or contract to retire the principal or pay interest on bonds, notes, debentures, or other financial instruments that evidence indebtedness.

"Special purpose levies" include, but are not limited to, levies made on an annual basis for contributions to pension plans, unemployment and worker's compensation, or self-insurance.

"Taxing district" means any unit of local government, including a home rule unit, school district, or community college district with the power to levy taxes on territory in Cook County.

(35 ILCS 200/18-101.10 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.10. Legislative purpose. The purpose of this

Division 2.1 is to require taxing districts to disclose by publication and to hold a public hearing on their intention to adopt an aggregate levy.

(35 ILCS 200/18-101.15 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.15. Estimate of taxes to be levied. Not less than 30 days before the adoption of its aggregate levy, the corporate authority of each taxing district shall determine the amounts of money, exclusive of any portion of that levy attributable to the cost of conducting an election required by the Election Code ("election costs"), estimated to be necessary to be raised by taxation for that year upon the taxable property in its taxing district.

(35 ILCS 200/18-101.20 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.20. Restriction on extension. Until the taxing district has complied with the notice and hearing provisions of this Division 2.1, no taxing district shall levy an amount of ad valorem tax that is more than the amount, exclusive of election costs, that has been extended or is estimated will be extended, plus any amount abated by the taxing district before extension, upon the final aggregate levy of the preceding year.

(35 ILCS 200/18-101.25 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.25. Intent to adopt an aggregate levy; hearing required. Upon making the estimate as provided in Section 18-101.15, the corporate authority shall hold a hearing on its intent to adopt

an aggregate levy. Except as otherwise provided in this Section, hearings shall be held according to the following schedule.

(1) First Monday in December: Park districts and municipalities.

(2) First Tuesday in December: Townships, road districts, and all school districts except high school districts.

(3) First Wednesday in December: High school districts and libraries.

(4) First Thursday in December: Counties and forest preserve districts.

(5) First Friday in December: All other taxing districts.

All hearings shall be open to the public. The corporate authority of the taxing district shall explain the reasons for the levy and any proposed increase and shall permit persons desiring to be heard an opportunity to present testimony within such reasonable time limits as it shall determine. The hearing shall not coincide with the hearing on the proposed budget. The corporate authority may, however, conduct any other business of the taxing district on the same day. Failure of a taxing district to convene or complete a public hearing on the day prescribed in this Section due to physical perils such as natural disasters or acts of God shall not constitute a failure to hold a public hearing under this Division 2.1. In this event, a taxing district may either hold a separate public hearing on its proposed tax levy, or place the hearing on its proposed tax levy on the agenda of the taxing district's next scheduled meeting. In either case, a taxing district shall give notice of the hearing pursuant to Sections 2.02, 2.03, and 2.04 of the Open Meetings Act.

Any taxing district with a fiscal year beginning on December 1, for which the hearing day requirement of this Section would conflict with the adoption of its tax levy and annual appropriation ordinance, may hold a public hearing on its proposed tax levy prior to and instead of the day prescribed in this Section. This public hearing shall be restricted to the proposed tax levy, and no other business of the taxing district shall be discussed or transacted. Notice of the hearing shall be given as provided in Section 18-101.35 of this

Division 2.1.

(35 ILCS 200/18-101.30 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.30. Notice; place of publication. If the taxing district is located entirely in one county, the notice shall be published in an English language newspaper of general circulation published in the taxing district, or if there is no such newspaper, in an English language newspaper of general circulation published in the county and having circulation in the taxing district. If the taxing district is located primarily in one county but extends into smaller portions of adjoining counties, the notice shall be published in a newspaper of general circulation published in the taxing district, or if there is no such newspaper, in a newspaper of general circulation published in each county in which any part of the district is located. If the taxing district includes all or a large portion of 2 or more counties, the notice shall be published in a newspaper of general circulation published in each county in which

any part of the district is located.

(35 ILCS 200/18-101.35 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.35. Time and form of notice. The notice shall appear not more than 14 days nor less than 7 days before the date of the public hearing. The notice shall be no less than one-eighth page in size, and the smallest type used shall be 12 point and shall be enclosed in a black border no less than one-quarter inch wide. The notice shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The notice shall be published in the following form:

Notice of Proposed Property Tax Levy for ... (commonly known name of taxing district).

I. A public hearing to approve a proposed property tax levy for ... (legal name of the taxing district)... for ... (year) ... will be held on ... (date) ... at ... (time) ... at ... (location).

Any person desiring to appear at the public hearing and present testimony to the taxing district may contact ... (name, title, address and telephone number of an appropriate official).

II. The corporate and special purpose property taxes extended or abated for ... (preceding year) ... were ... (dollar amount of the final aggregate levy as extended, plus the amount abated by the taxing district prior to extension).

The proposed corporate and special purpose property taxes to be levied for ... (current year) ... are ... (dollar amount of the proposed aggregate levy). This represents a ... (percentage increase or decrease) ... over the previous year.

III. The property taxes extended for debt service and public building commission leases for ... (preceding year) ... were ... (dollar amount).

The estimated property taxes to be levied for debt service and public building commission leases for ... (current year) ... are ... (dollar amount). This represents a ... (percentage increase or decrease) ... over the previous year.

IV. The total property taxes extended or abated for ... (preceding year) ... were ... (dollar amount).

The estimated total property taxes to be levied for ... (current year) ... are ... (dollar amount). This represents a ... (percentage increase or decrease) ... over the previous year. Any notice which includes any information not specified and required by this Article shall be an invalid notice.

All hearings shall be open to the public. The corporate authority of the taxing district must explain the reasons for the proposed levy and shall permit persons desiring to be heard an

opportunity to present testimony within reasonable time limits as the authority determines.

(35 ILCS 200/18-101.40 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.40. Notice if adopted levy exceeds proposed levy. If the final aggregate tax levy resolution or ordinance adopted is in excess of the amount of the proposed levy stated in the notice published under Section 18-101.35, the corporate authority shall give

public notice of its action within 15 days of the adoption of the levy in the following form:

Notice of Adopted Property Tax Increase for ... (commonly known name of taxing district).

I. The corporate and special purpose property taxes extended or abated for ... (preceding year) ... were ... (dollar amount of the final aggregate levy as extended).

The adopted corporate and special purpose property taxes to be levied for ... (current year) ... are ... (dollar amount of the proposed aggregate levy).

This represents a ... (percentage increase or decrease) ... over the previous year.

II. The property taxes extended for debt service and public building commission leases for ... (preceding year) ... were ... (dollar amount).

The estimated property taxes to be levied for debt service and public building commission leases for ... (current year) ... are ... (dollar amount). This represents a ... (percentage increase or decrease) ... over the previous year.

III. The total property taxes extended or abated for ... (preceding year) ... were ... (dollar amount).

The estimated total property taxes to be levied for ... (current year) ... are ... (dollar amount). This represents a ...(percentage increase or decrease) ... over the previous year.

(35 ILCS 200/18-101.45 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.45. Limitation on extension of county clerk. The tax levy resolution or ordinance approved in the manner provided for in this Division 2.1 shall be filed with the county clerk in the manner and at the time otherwise provided by law. No amount upon the final aggregate levy of the preceding year shall be extended unless the tax levy ordinance or resolution is accompanied by a certification by the presiding officer of the corporate authority certifying compliance with or inapplicability of the provisions of this Division 2.1.

(35 ILCS 200/18-101.50 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.50. Effect of Division 2.1. Nothing contained in this Division 2.1 shall serve to extend or authorize any tax rate in excess of the maximum permitted by law nor prevent the reduction of any tax rate.

(35 ILCS 200/18-101.55 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.55. Defective publication. A levy of a taxing district shall not be invalidated for failure to comply with the provisions of this Division 2.1 if the failure is attributable to the newspaper's failure to reproduce the information in the notice accurately or to publish the notice as directed by the taxing district.

(35 ILCS 200/18-101.60 new)

(Section scheduled to be repealed on January 1, 2003)

Sec. 18-101.60. Extension prohibition. A county clerk shall not extend a tax levy imposed by a taxing district, other than a home

rule unit, based on a rate that exceeds the rate authorized by statute or referendum for that taxing district. If a taxing district is in violation of Section 18-101.45, the county clerk shall not extend the final aggregate levy in an amount more than the aggregate levy extended for the preceding year.

(35 ILCS 200/18-101.65 new)

Sec. 101.65. Repeal. This Division 2.1 is repealed January 1, 2003.

Section 900. The State Mandates Act is amended by adding Section 8.23 as follows:

(30 ILCS 805/8.23 new)

Sec. 8.23. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 91st General Assembly.

Section 999. Effective date. This Act takes effect on January 1, 2000.".

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

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 376, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 5, line 3, after "to", by inserting "good cause unrelated to inadvertence, including, but not limited to,"; and on page 5, line 4, by replacing "God" with "God,".

The motion prevailed and the amendment was adopted and ordered printed.

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

On motion of Senator Dudycz, **Senate Bill No. 417** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 417 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 105/3-5) (from Ch. 120, par. 439.3-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit music or dramatic arts organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated for the presentation of live public performances of musical

or theatrical works on a regular basis.

(4) Personal property purchased by a governmental body, by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or by a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active exemption identification number issued by the Department.

(5) A passenger car that is a replacement vehicle to the extent that the purchase price of the car is subject to the Replacement Vehicle Tax.

(6) Graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order, certified by the purchaser to be used primarily for graphic arts production, and including machinery and equipment purchased for lease.

(7) Farm chemicals.

(8) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(9) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(10) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(11) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural

chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (11). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision

farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (11) is exempt from the provisions of Section 3-90.

(12) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(13) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages purchased at retail from a retailer, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(14) Oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(15) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(16) Coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts

and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(17) Distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(18) Manufacturing and assembling machinery and equipment used primarily in the process of manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether that sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether that sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(19) Personal property delivered to a purchaser or purchaser's donee inside Illinois when the purchase order for that personal property was received by a florist located outside Illinois who has a florist located inside Illinois deliver the personal property.

(20) Semen used for artificial insemination of livestock for

direct agricultural production.

(21) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(22) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(23) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect

at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active sales tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Service Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Service Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(24) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(25) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution

and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(26) Beginning January 1, 2000, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. This paragraph is exempt from the provisions of Section 3-90.

(Source: P.A. 89-16, eff. 5-30-95; 89-115, eff. 1-1-96; 89-349, eff. 8-17-95; 89-495, eff. 6-24-96; 89-496, eff. 6-25-96; 89-626, eff. 8-9-96; 90-14, eff. 7-1-97; 90-552, eff. 12-12-97; 90-605, eff. 6-30-98.)

Section 10. The Service Use Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 110/3-5) (from Ch. 120, par. 439.33-5)

Sec. 3-5. Exemptions. Use of the following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property purchased from a corporation, society,

association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a non-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by a not-for-profit music or dramatic arts organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated for the presentation of live public performances of musical or theatrical works on a regular basis.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production.

(6) Personal property purchased from a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the

selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities,

equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-75.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages acquired as an incident to the purchase of a service from a serviceman, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Proceeds from the sale of photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Semen used for artificial insemination of livestock for direct agricultural production.

(14) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(15) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients purchased by a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of

the Retailers' Occupation Tax Act. If the equipment is leased in a manner that does not qualify for this exemption or is used in any

other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(16) Personal property purchased by a lessor who leases the property, under a lease of one year or longer executed or in effect at the time the lessor would otherwise be subject to the tax imposed by this Act, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act. If the property is leased in a manner that does not qualify for this exemption or is used in any other non-exempt manner, the lessor shall be liable for the tax imposed under this Act or the Use Tax Act, as the case may be, based on the fair market value of the property at the time the non-qualifying use occurs. No lessor shall collect or attempt to collect an amount (however designated) that purports to reimburse that lessor for the tax imposed by this Act or the Use Tax Act, as the case may be, if the tax has not been paid by the lessor. If a lessor improperly collects any such amount from the lessee, the lessee shall have a legal right to claim a refund of that amount from the lessor. If, however, that amount is not refunded to the lessee for any reason, the lessor is liable to pay that amount to the Department.

(17) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(19) Beginning January 1, 2000, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. This paragraph is exempt from the provisions of Section 3-75.

(Source: P.A. 89-16, eff. 5-30-95; 89-115, eff. 1-1-96; 89-349, eff.

8-17-95; 89-495, eff. 6-24-96; 89-496, eff. 6-25-96; 89-626, eff. 8-9-96; 90-14, eff. 7-1-97; 90-552, eff. 12-12-97; 90-605, eff.

6-30-98.)

Section 15. The Service Occupation Tax Act is amended by changing Section 3-5 as follows:

(35 ILCS 115/3-5) (from Ch. 120, par. 439.103-5)

Sec. 3-5. Exemptions. The following tangible personal property is exempt from the tax imposed by this Act:

(1) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(2) Personal property purchased by a not-for-profit Illinois county fair association for use in conducting, operating, or promoting the county fair.

(3) Personal property purchased by any not-for-profit music or dramatic arts organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that is organized and operated for the presentation of live public performances of musical or theatrical works on a regular basis.

(4) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(5) Graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (7). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming

equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors, software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for

the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 3-55 ~~3-75~~.

(8) Fuel and petroleum products sold to or used by an air common carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or subsequent domestic stopovers.

(9) Proceeds of mandatory service charges separately stated on customers' bills for the purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(10) Oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(11) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(12) Coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(13) Food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use, when purchased for use by a person receiving medical assistance under Article 5 of the Illinois Public Aid Code who resides in a licensed long-term care facility, as

defined in the Nursing Home Care Act.

(14) Semen used for artificial insemination of livestock for direct agricultural production.

(15) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(16) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(17) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of the Retailers' Occupation Tax Act.

(18) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(19) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(20) Beginning January 1, 2000, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. This paragraph is exempt from the provisions of Section 3-55.

(Source: P.A. 89-16, eff. 5-30-95; 89-115, eff. 1-1-96; 89-349, eff. 8-17-95; 89-495, eff. 6-24-96; 89-496, eff. 6-25-96; 89-626, eff. 8-9-96; 90-14, eff. 7-1-97; 90-552, eff. 12-12-97; 90-605, eff. 6-30-98; revised 2-10-99.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 2-5 as follows:

(35 ILCS 120/2-5) (from Ch. 120, par. 441-5)

Sec. 2-5. Exemptions. Gross receipts from proceeds from the sale of the following tangible personal property are exempt from the tax imposed by this Act:

(1) Farm chemicals.

(2) Farm machinery and equipment, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for production agriculture or State or federal agricultural programs, including individual replacement parts for the machinery and equipment, including machinery and equipment purchased for lease, and including implements of husbandry defined in Section 1-130 of the Illinois Vehicle Code, farm machinery and agricultural chemical and fertilizer spreaders, and nurse wagons required to be registered under Section 3-809 of the Illinois Vehicle Code, but excluding other motor vehicles required to be registered under the Illinois Vehicle Code. Horticultural polyhouses or hoop houses used for propagating, growing, or overwintering plants shall be considered farm machinery and equipment under this item (2). Agricultural chemical tender tanks and dry boxes shall include units sold separately from a motor vehicle required to be licensed and units sold mounted on a motor vehicle required to be licensed, if the selling price of the tender is separately stated.

Farm machinery and equipment shall include precision farming equipment that is installed or purchased to be installed on farm machinery and equipment including, but not limited to, tractors, harvesters, sprayers, planters, seeders, or spreaders. Precision farming equipment includes, but is not limited to, soil testing sensors, computers, monitors, software, global positioning and mapping systems, and other such equipment.

Farm machinery and equipment also includes computers, sensors,

software, and related equipment used primarily in the computer-assisted operation of production agriculture facilities, equipment, and activities such as, but not limited to, the collection, monitoring, and correlation of animal and crop data for the purpose of formulating animal diets and agricultural chemicals. This item (7) is exempt from the provisions of Section 2-70 ~~3-75~~.

(3) Distillation machinery and equipment, sold as a unit or kit, assembled or installed by the retailer, certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of the user, and not subject to sale or resale.

(4) Graphic arts machinery and equipment, including repair and replacement parts, both new and used, and including that manufactured on special order or purchased for lease, certified by the purchaser to be used primarily for graphic arts production.

(5) A motor vehicle of the first division, a motor vehicle of the second division that is a self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping, or travel use, with direct walk through access to the living quarters from the driver's seat, or a motor vehicle of the second division that is of the van configuration designed for the transportation of not less than 7 nor more than 16 passengers, as defined in Section 1-146 of the Illinois Vehicle Code, that is used

for automobile renting, as defined in the Automobile Renting Occupation and Use Tax Act.

(6) Personal property sold by a teacher-sponsored student organization affiliated with an elementary or secondary school located in Illinois.

(7) Proceeds of that portion of the selling price of a passenger car the sale of which is subject to the Replacement Vehicle Tax.

(8) Personal property sold to an Illinois county fair association for use in conducting, operating, or promoting the county fair.

(9) Personal property sold to a not-for-profit music or dramatic arts organization that establishes, by proof required by the Department by rule, that it has received an exemption under Section 501(c) (3) of the Internal Revenue Code and that is organized and operated for the presentation of live public performances of musical or theatrical works on a regular basis.

(10) Personal property sold by a corporation, society, association, foundation, institution, or organization, other than a limited liability company, that is organized and operated as a not-for-profit service enterprise for the benefit of persons 65 years of age or older if the personal property was not purchased by the enterprise for the purpose of resale by the enterprise.

(11) Personal property sold to a governmental body, to a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, or to a not-for-profit corporation, society, association, foundation, institution, or organization that has no compensated officers or employees and that is organized and operated primarily for the recreation of persons 55 years of age or older. A limited liability company may qualify for the exemption under this paragraph only if the limited liability company is organized and operated exclusively for educational purposes. On and after July 1, 1987, however, no entity otherwise eligible for this exemption shall make tax-free purchases unless it has an active identification number issued by the Department.

(12) Personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce or to lessors under leases of one year or longer executed or in effect at the time

of purchase by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(13) Proceeds from sales to owners, lessors, or shippers of tangible personal property that is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce and equipment operated by a telecommunications provider, licensed as a common carrier by the Federal Communications Commission, which is permanently installed in or affixed to aircraft moving in interstate commerce.

(14) Machinery and equipment that will be used by the purchaser, or a lessee of the purchaser, primarily in the process of

manufacturing or assembling tangible personal property for wholesale or retail sale or lease, whether the sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether the sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges, or other similar items of no commercial value on special order for a particular purchaser.

(15) Proceeds of mandatory service charges separately stated on customers' bills for purchase and consumption of food and beverages, to the extent that the proceeds of the service charge are in fact turned over as tips or as a substitute for tips to the employees who participate directly in preparing, serving, hosting or cleaning up the food or beverage function with respect to which the service charge is imposed.

(16) Petroleum products sold to a purchaser if the seller is prohibited by federal law from charging tax to the purchaser.

(17) Tangible personal property sold to a common carrier by rail or motor that receives the physical possession of the property in Illinois and that transports the property, or shares with another common carrier in the transportation of the property, out of Illinois on a standard uniform bill of lading showing the seller of the property as the shipper or consignor of the property to a destination outside Illinois, for use outside Illinois.

(18) Legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States of America, or the government of any foreign country, and bullion.

(19) Oil field exploration, drilling, and production equipment, including (i) rigs and parts of rigs, rotary rigs, cable tool rigs, and workover rigs, (ii) pipe and tubular goods, including casing and drill strings, (iii) pumps and pump-jack units, (iv) storage tanks and flow lines, (v) any individual replacement part for oil field exploration, drilling, and production equipment, and (vi) machinery and equipment purchased for lease; but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(20) Photoprocessing machinery and equipment, including repair and replacement parts, both new and used, including that manufactured on special order, certified by the purchaser to be used primarily for photoprocessing, and including photoprocessing machinery and equipment purchased for lease.

(21) Coal exploration, mining, offhighway hauling, processing, maintenance, and reclamation equipment, including replacement parts and equipment, and including equipment purchased for lease, but excluding motor vehicles required to be registered under the Illinois Vehicle Code.

(22) Fuel and petroleum products sold to or used by an air carrier, certified by the carrier to be used for consumption, shipment, or storage in the conduct of its business as an air common carrier, for a flight destined for or returning from a location or locations outside the United States without regard to previous or

subsequent domestic stopovers.

(23) A transaction in which the purchase order is received by a florist who is located outside Illinois, but who has a florist located in Illinois deliver the property to the purchaser or the purchaser's donee in Illinois.

(24) Fuel consumed or used in the operation of ships, barges, or vessels that are used primarily in or for the transportation of property or the conveyance of persons for hire on rivers bordering on this State if the fuel is delivered by the seller to the purchaser's barge, ship, or vessel while it is afloat upon that bordering river.

(25) A motor vehicle sold in this State to a nonresident even though the motor vehicle is delivered to the nonresident in this State, if the motor vehicle is not to be titled in this State, and if a driveaway decal permit is issued to the motor vehicle as provided in Section 3-603 of the Illinois Vehicle Code or if the nonresident purchaser has vehicle registration plates to transfer to the motor vehicle upon returning to his or her home state. The issuance of the driveaway decal permit or having the out-of-state registration plates to be transferred is prima facie evidence that the motor vehicle will not be titled in this State.

(26) Semen used for artificial insemination of livestock for direct agricultural production.

(27) Horses, or interests in horses, registered with and meeting the requirements of any of the Arabian Horse Club Registry of America, Appaloosa Horse Club, American Quarter Horse Association, United States Trotting Association, or Jockey Club, as appropriate, used for purposes of breeding or racing for prizes.

(28) Computers and communications equipment utilized for any hospital purpose and equipment used in the diagnosis, analysis, or treatment of hospital patients sold to a lessor who leases the equipment, under a lease of one year or longer executed or in effect at the time of the purchase, to a hospital that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(29) Personal property sold to a lessor who leases the property, under a lease of one year or longer executed or in effect at the time of the purchase, to a governmental body that has been issued an active tax exemption identification number by the Department under Section 1g of this Act.

(30) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area.

(31) Beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State

or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within 6 months after the disaster.

(32) Beginning January 1, 2000, new or used automatic vending machines that prepare and serve hot food and beverages, including coffee, soup, and other items, and replacement parts for these machines. This paragraph is exempt from the provisions of Section 2-70.

(Source: P.A. 89-16, eff. 5-30-95; 89-115, eff. 1-1-96; 89-349, eff. 8-17-95; 89-495, eff. 6-24-96; 89-496, eff. 6-25-96; 89-626, eff. 8-9-96; 90-14, eff. 7-1-97; 90-519, eff. 6-1-98; 90-552, eff. 12-12-97; 90-605, eff. 6-30-98; revised 2-10-99.)

Section 99. Effective date. This Act takes effect on January 1, 2000.".

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 Syverson, **Senate Bill No. 457** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Syverson, **Senate Bill No. 487** having been printed, was taken up and read by title a second time.

Committee Amendment No. 1 lost in the Committee on Licensed Activities.

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

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 487, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Roofing Industry Licensing Act is amended by changing Sections 3, 9.2, 9.4, 9.5, 9.14, 10, and 11.5 and adding Sections 3.5 and 5.5 as follows:

(225 ILCS 335/3) (from Ch. 111, par. 7503)

Sec. 3. (1) To obtain a certificate, an applicant shall submit an application in writing to the Department on a form containing the information prescribed by the Department and accompanied by the fee fixed by the Department.

(2) An applicant for a certificate must submit satisfactory evidence that:

(a) he or she has obtained public liability and property damage insurance in such amounts and under such circumstances as may be determined by the Department;

(b) he or she has obtained Workers' Compensation insurance covering his employees or is approved as a self-insurer of Workers' Compensation in accordance with Illinois law;

(c) he or she has an Illinois Unemployment Insurance employer identification number or has proof of application to the Illinois Department of Labor for such an identification number;

(d) (blank) ~~he or she has submitted a bond to the~~

~~Department in the amount of $5,000~~.

(3) It is the responsibility of the licensee to provide to the Department notice in writing of any changes in the information required to be provided on the application.

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 335/3.5 new)

Sec. 3.5. Bond. Before issuing or renewing a license, the Department shall require each applicant or licensee to file and

maintain in force a surety bond, issued by an insurance company authorized to transact fidelity and surety business in the State of Illinois. The bond shall be for the benefit of the consumers who obtain a judgment from a court of competent jurisdiction based on the failure of the roofing contractor to fulfill the terms of the contract between the consumer and the roofing contractor. The bond shall be in the form prescribed by the Department. The bond shall be continuous in form and run concurrently with the original and each renewal license period, unless terminated by the insurance company. An insurance company may terminate a bond and avoid further liability by filing a 60-day notice of termination with the Department and, at the same time, sending the notice to the roofing contractor. A license shall be suspended on the termination date of the roofing contractor's bond, unless a new bond is filed with the Department to become effective at the termination date of the prior bond. If a license has been suspended under this Section, the license shall be reinstated upon showing proof of compliance with this Section.

(225 ILCS 335/5.5 new)

Sec. 5.5. Contracts. A roofing contractor, when signing a contract, must provide a land-based phone number and a street address other than a post office box at which he or she may be contacted.

(225 ILCS 335/9.2) (from Ch. 111, par. 7509.2)

Sec. 9.2. Stenographer; record of proceedings. The Department, at its expense, shall provide a stenographer to take down the testimony and preserve a record of all proceedings initiated pursuant to this Act, the rules for the administration of this Act, or any other Act or rules relating to this Act and proceedings for restoration of any license issued under this Act. The notice of hearing, complaint, answer, and all other documents in the nature of pleadings and written motions and responses filed in the proceedings, the transcript of the testimony, all exhibits admitted into evidence, the report of the hearing officer, the Board's findings of fact, conclusions of law, and recommendations to the Director, and the order shall be the record of the proceeding. The Department shall furnish a transcript of the record to any person interested in the hearing upon payment of the fee required under Section 60f of the Civil Administrative Code of Illinois. ~~The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case. The notice of hearing, complaint and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the hearing officer and order of the Department shall be the record of such proceeding. The Department shall furnish a transcript of the record to any person interested in the hearing upon payment of the fee~~

~~required under Section 60f of the Civil Administrative Code of Illinois.~~

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 335/9.4) (from Ch. 111, par. 7509.4)

Sec. 9.4. The Department has power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition or both, or to subpoena documents, exhibits, or other materials with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State.

The Director and any member of the Roofing Advisory Board have power to administer oaths to witnesses at any hearing that the Department or Roofing Advisory Board is authorized by law to conduct. Further, the Director has power to administer any other oaths required or authorized to be administered by the Department under this Act.

~~The Director and the hearing officer have power to administer~~

~~oaths to witnesses at any hearing which the Department is authorized to conduct under this Act, and any other oaths required or authorized to be administered by the Department under this Act.~~

(Source: P.A. 89-387, eff. 1-1-96.)

(225 ILCS 335/9.5) (from Ch. 111, par. 7509.5)

Sec. 9.5. Findings of fact, conclusions of law, and recommendations; order. Within 30 days of the Department's receipt of the transcript of any hearing that is conducted pursuant to this Act or the rules for its enforcement or any other statute or rule requiring a hearing under this Act or the rules for its enforcement, or for any hearing related to restoration of any license issued pursuant to this Act, the hearing officer shall submit his or her written findings and recommendations to the Roofing Advisory Board. The Roofing Advisory Board shall review the report of the hearing officer and shall present its findings of fact, conclusions of law, and recommendations to the Director by the date of the Board's second meeting following the Board's receipt of the hearing officer's report.

A copy of the findings of fact, conclusions of law, and recommendations to the Director shall be served upon the accused person, either personally or by registered or certified mail. Within 20 days after service, the accused person may present to the Department a written motion for a rehearing, which shall state the particular grounds therefor. If the accused person orders and pays for a transcript pursuant to Section 9.2, the time elapsing thereafter and before the transcript is ready for delivery to him or her shall not be counted as part of the 20 days.

The Director shall issue an order based on the findings of fact, conclusions of law, and recommendations to the Director of the Board. If the Director disagrees in any regard with the findings of fact, conclusions of law, and recommendations to the Director, he may issue an order in contravention of the findings of fact, conclusions of law, and recommendations to the Director.

If the Director issues an order in contravention of the findings of fact, conclusions of law, and recommendations to the Director of

the Board, the Director shall notify the Board in writing with an explanation for any deviation from the Board's findings of fact, conclusions of law, and recommendations to the Director within 30 days of the Director's entry of the order. ~~At the conclusion of the hearing the hearing officer shall present to the Director a written report of his findings of fact, conclusions of law and recommendations. The report shall contain a finding whether or not the accused person violated this Act or failed to comply with the conditions required in this Act. The hearing officer shall specify the nature of the violation or failure to comply, and shall make his recommendations to the Director.~~

~~The report of findings of fact, conclusions of law and recommendations of the hearing officer shall be the basis for the Department's order. If the Director disagrees in any regard with the report of the hearing officer, the Director may issue an order in contravention to the report. The finding is not admissible in evidence against the person in a criminal prosecution brought for the violation of this Act, but the hearing and findings are not a bar to a criminal prosecution brought for the violation of this Act.~~

(Source: P.A. 86-615.)

(225 ILCS 335/9.14) (from Ch. 111, par. 7509.14)

Sec. 9.14. The Director has the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer for any action for refusal to issue or renew a license, for ~~or~~ discipline of a licensee for sanctions for unlicensed practice, for restoration of a license, or for any other

action for which findings of fact, conclusions of law, and recommendations are required pursuant to Section 9.5 of this Act. The hearing officer shall have full authority to conduct the hearing and shall issue his or her findings of fact and recommendations to the Board pursuant to Sections 9.5 of this Act. ~~The hearing officer has full authority to conduct the hearing. The hearing officer shall report his findings of fact, conclusions of law and recommendations to the Director. The Director shall issue an order based on the report of the hearing officer. If the Director disagrees in any regard with the hearing officer's report, he may issue an order in contravention of the hearing officer's report.~~

(Source: P.A. 86-615.)

(225 ILCS 335/10) (from Ch. 111, par. 7510)

Sec. 10. Enforcement; petition to court.

(1) If any person violates the provisions of this Act, the Director through the Attorney General of Illinois, or the State's Attorney of any county in which a violation is alleged to exist, may in the name of the People of the State of Illinois petition for an order enjoining such violation or for an order enforcing compliance with this Act. Upon the filing of a verified petition in such court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation, and if it is established that such person has violated or is violating the injunction, the Court may punish the offender for contempt of court.

(2) If any person shall practice as a licensee or hold himself

or herself out as a licensee without being licensed under the provisions of this Act, then any person licensed under this Act, any interested party or any person injured thereby may, in addition to those officers identified in subsection (1) of this Section, petition for relief as provided therein.

(3) Whenever the Department has reason to believe that any person has violated the licensing requirements of this Act by practicing, offering to practice, attempting to practice, or holding himself or herself out to practice roofing without being licensed under this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

(4) ~~(3)~~ Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties which may be provided by law.

(Source: P.A. 90-55, eff. 1-1-98.)

(225 ILCS 335/11.5)

Sec. 11.5. The Roofing Advisory Board is created and shall consist of 8 ~~7~~ persons, 6 of whom shall have been issued certificates of registration as roofing contractors by the Department, one of whom represents the Home Builders Association of Illinois, and one of whom ~~and one who~~ is a knowledgeable public member. The public member shall not be licensed under this Act or any other Act the Department administers. Each member shall be appointed by the Director. Members shall be appointed who reasonably represent the different geographic areas of the State.

The Director shall consider the advice and recommendations of the Board. The Director shall notify the Board in writing with an explanation of any deviation from the Board's written recommendation or response. After review of the Director's written explanation of the reasons for deviation, the Board shall have the opportunity to

comment upon the Director's decision.

The persons appointed shall hold office for 4 years and until a successor is appointed and qualified. The initial terms shall begin July 1, 1997. Of the members of the Board first appointed, 2 shall be appointed to serve for 2 years, 2 shall be appointed to serve for 3 years, and 3 shall be appointed to serve for 4 years. No member shall serve more than 2 complete 4 year terms.

Within 90 days of a vacancy occurring, the Director shall fill the vacancy for the unexpired portion of the term with an appointee who meets the same qualifications as the person whose position has become vacant. The Board shall meet annually to elect one member as chairman and one member as vice-chairman. No officer shall be elected more than twice in succession to the same office. The members of the Board shall receive reimbursement for actual, necessary, and authorized expenses incurred in attending the meetings of the Board.

(Source: P.A. 89-594, eff. 8-1-96.)

(225 ILCS 335/4 rep.)

Section 10. The Illinois Roofing Industry Licensing Act is amended by repealing Section 4.

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

Committee Amendment No. 3 lost in the Committee on Licensed Activities.

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

AMENDMENT NO. 4

AMENDMENT NO. 4. Amend Senate Bill 487, AS AMENDED, with reference to the page and line numbers of Senate Amendment No. 2, on page 9, by deleting lines 6 through 8.

There being no further amendments, the foregoing Amendments numbered 2 and 4, were ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Obama, **Senate Bill No. 561** having been printed, was taken up and read by title a second time.

Senator Obama offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 561 as follows:

by replacing the title with the following:

"AN ACT to amend the Health Care Surrogate Act by adding Section 60."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Health Care Surrogate Act is amended by adding Section 60 as follows:

(755 ILCS 40/60 new)

Sec. 60. Health care surrogate; specific mental health services.

(a) In this Section, "specific mental health services" means the administration of authorized involuntary treatment as defined in Section 1-121.5 of the Mental Health and Developmental Disabilities Code or admission to a mental health facility as defined in Section 1-114 of that Code.

(b) A surrogate decision maker, other than a court appointed guardian, may not consent to specific mental health services for an adult patient. A surrogate decision maker may, however, petition for the provision of specific mental health services pursuant to the

Mental Health and Developmental Disabilities Code.

Section 99. Effective date. This Act takes effect January 1, 2000.".

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.

On motion of Senator Radogno, **Senate Bill No. 563** 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 563 by replacing the title with the following:

"AN ACT to amend the Hospital Licensing Act by changing Section 9 and adding Sections 6.14a, 6.14b, 6.14c, and 6.14d."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Hospital Licensing Act is amended by changing Section 9 and adding Sections 6.14a, 6.14b, 6.14c, and 6.14d as follows:

(210 ILCS 85/6.14a new)

Sec. 6.14a. Public disclosure of information. The following information is subject to disclosure to the public from the Department:

(1) Information submitted under Section 5 of this Act;

(2) Final records of license and certification inspections, surveys, and evaluations of hospitals;

(3) Investigated complaints filed against a hospital and complaint investigation reports, except that a complaint or complaint investigation report shall not be disclosed to a person other than the complainant or complainant's representative before it is disclosed to a hospital, and except that a complainant or patient's name shall not be disclosed.

The Department shall disclose information under this Section in accordance with provisions for inspection and copying of public records required by the Freedom of Information Act.

However, the disclosure of information described in subsection (1) shall not be restricted by any provision of the Freedom of Information Act.

Notwithstanding any other provision of law, under no circumstances shall the Department disclose information obtained from a hospital that is confidential under Part 21 of Article 8 of the Code of Civil Procedure.

Any records or reports of inspections, surveys, or evaluations of hospitals may be disclosed only after the acceptance of a plan of correction by the Health Care Financing Administration of the U.S. Department of Health and Human Services or the Department, as appropriate, or at the conclusion of any administrative review of the Department's decision, or at the conclusion of any judicial review of such administrative decision. Whenever any record or report is subject to disclosure under this Section, the Department shall permit the hospital to provide a written statement pertaining to such report which shall be included as part of the information to be disclosed. The Department shall not divulge or disclose any record or report in a manner that identifies or would permit the identification of any natural person.

(210 ILCS 85/6.14b new)

Sec. 6.14b. Confidentiality of patient records.

(a) The Department shall respect the confidentiality of a patient's record and shall not divulge or disclose the contents of a record in a manner which identifies a patient, except upon a patient's death to a relative or guardian, as permitted by law, or under judicial proceedings. This Section shall not be construed to limit the right of a patient to inspect or copy his or her records.

(b) Confidential medical, social, personal, or financial information identifying a patient shall not be available for public inspection in a manner which identifies a patient.

(210 ILCS 85/6.14c new)

Sec. 6.14c. Posting of information. Every hospital shall conspicuously post for display in an area of its offices accessible to patient's, employees, and visitors the following:

(1) its current license;

(2) a description, provided by the Department, of complaint procedures established under this Act and the name, address, and telephone number of a person authorized by the Department to receive complaints;

(3) A list of any orders pertaining to the hospital issued by the Department during the past year and any court orders reviewing such Department orders issued during the past year; and

(4) A list of the material available for public inspection under Section 6.14d.

(210 ILCS 85/6.14d new)

Sec. 6.14d. Materials available for public inspection. A hospital shall retain for 5 years the following for public inspection:

(1) a complete copy of every final inspection report of the hospital received from the Department; and

(2) a copy of every final order pertaining to the hospital issued by the Department during the past 5 years and any court orders reviewing such Department orders.

(210 ILCS 85/9) (from Ch. 111 1/2, par. 150)

Sec. 9. Inspections and investigations. The Department shall make or cause to be made such inspections and investigations as it deems necessary. Information received by the Department through filed reports, inspection, or as otherwise authorized under this Act shall not be disclosed publicly in such manner as to identify individuals or hospitals, except (i) in a proceeding involving the denial, suspension, or revocation of a permit to establish a hospital or a proceeding involving the denial, suspension, or revocation of a license to open, conduct, operate, and maintain a hospital, (ii) to the Department of Children and Family Services in the course of a child abuse or neglect investigation conducted by that Department or by the Department of Public Health, (iii) in accordance with Section 6.14a of this Act, or (iv) ~~(iii)~~ in other circumstances as may be approved by the Hospital Licensing Board.

(Source: P.A. 90-608, eff. 6-30-98.)".

Senator Radogno offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 563, AS AMENDED, in Section 5 of the bill, in Sec. 6.14a, in the last paragraph, by replacing "the Health Care Financing Administration of the U.S. Department of Health

and Human Services or the Department, as appropriate," with "the Department,".

The motion prevailed and the amendment was adopted and ordered printed.

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

On motion of Senator Radogno, **Senate Bill No. 672** having been printed, was taken up and read by title a second time.

Senator Radogno offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 672 by replacing the title with the following:

"AN ACT to amend the Civil Administrative Code of Illinois by adding Section 55.75a."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Civil Administrative Code of Illinois is amended by adding Section 55.75a as follows:

(20 ILCS 2310/55.75a new)

Sec. 55.75a. Review of inspection programs. The Department of Public Health shall, utilizing the expertise and membership of the Hospital Licensing Board created pursuant to Section 10 of the Hospital Licensing Act, conduct a review of the hospital inspection programs of the Department under the Hospital Licensing Act and any other hospital program operated by the Department. The required review should include (i) a study of the basis for, and establishment of, standards by the various entities who regulate hospitals; (ii) the survey activities of any other public or private agency inspecting hospitals; and (iii) the interpretation and application of the adopted standards by each of the entities.

The Department shall issue a report of the review and any recommendations regarding the feasibility of development of a consolidated or consistent set of regulations among the various entities. The Department shall seek the input and participation of the various federal and private organizations that establish standards for hospitals. A report shall be issued to the Governor and the General Assembly by July 1, 2000.

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

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.

On motion of Senator Obama, **Senate Bill No. 680** having been printed, was taken up and read by title a second time.

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

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

On motion of Senator Radogno, **Senate Bill No. 753** having been printed, was taken up and read by title a second time.

Senator Radogno offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 753 on page 6, line 28, by inserting "of" after "all"; and
on page 7, by replacing lines 13 through 15 with the following:
"(b) The Illinois Department of Corrections, the Department of

Human Services, and the Prisoner Review Board shall cooperate with the Attorney General in the implementation of this Section and shall provide information as necessary to the effective operation of the system."; and
on page 7, line 32, by inserting "and" after "establish"; and
on page 8, by replacing line 5 with the following:
State's Attorneys, Illinois Department of Corrections, and Prisoner Review Board".

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.

On motion of Senator Dillard, **Senate Bill No. 834** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 834 on page 1, line 9, by replacing "10" with "9".

Senator Dillard offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 834 on page 1, by replacing lines 29 through 31 with the following:
"the year in which his or her term commences, except in case of an appointment to fill a vacancy. In case of vacancy when the Senate is not in session, the Governor may make a temporary appointment until the next meeting of the Senate when a person shall be nominated to fill the office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until a successor is appointed and qualified."; and
on page 2, by deleting lines 1 through 5.

The motion prevailed and the amendment was adopted and ordered printed.

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

On motion of Senator Parker, **Senate Bill No. 849** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Burzynski, **Senate Bill No. 881** having been printed, was taken up and read by title a second time.

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

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

On motion of Senator W. Jones, **Senate Bill No. 906** having been printed, was taken up and read by title a second time.

Senator W. Jones offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 906 on page 3 by replacing lines 26 and 27 with the following:
"If a township located within a county with a population of less than 600,000 or more than 3,000,000 has a plan commission, and the plan"; and
on page 4 by replacing lines 11 and 12 with the following: "(a) In townships with a population of more than 500 located in counties with a population of less than 600,000 or more than 3,000,000,".

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.

On motion of Senator Geo-Karis, **Senate Bill No. 949** 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 949 as follows:
on page 1, by replacing line 9 with the following:
"(a) By January 1, 2000, the Department, in consultation with"; and
on page 1, line 16, after "license", by inserting the following:
", except as otherwise provided in subsection (b)"; and
on page 1, below line 23, by inserting the following:
"(b) All employees of the Department or its contractors who are

employed on the effective date of this amendatory Act of 1999 shall have until January 1, 2003 to obtain the required license. All new employees of the Department and its contractors shall be required to obtain the direct child welfare service employee license as stipulated in Department rules. By January 1, 2000, the Department, in consultation with private child welfare agencies, shall develop a plan to ensure that current employees of the Department and its contracting agencies will be able to acquire the knowledge and skill necessary to obtain this license. The Department shall have the authority to revoke or suspend the license of anyone who after a hearing is found to be guilty of misfeasance. The Department shall adopt rules to implement this Section."; and

on page 1, below line 24, by inserting the following:

"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 Rea, **Senate Bill No. 953** having been printed, was taken up and read by title a second time.

Senator Rea offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 953, on page 2, by replacing lines 19 through 28 with the following:

"clinical staff privileges. Hospitals that require medical staff members to possess faculty status with a specific institution of higher education are not required to comply with subsection (1) below when the physician does not possess faculty status."; and

on page 2, in line 29, by deleting ", those"; and

on page 2, in line 30, by deleting "requesting an application,"; and

on page 7, below line 10, by inserting the following:

"Pre-applicant" means a physician licensed to practice medicine in all its branches who requests an application for medical staff membership or privileges."; and

on page 7, below line 18, by inserting the following:

"(5) Any amendment to medical staff bylaws required because of this amendatory Act of the 91st General Assembly shall be adopted on or before July 1, 2001.

(c) All hospitals shall consult with the medical staff prior to closing membership in the entire or any portion of the medical staff or a department. If the hospital closes membership in the medical staff, any portion of the medical staff, or the department over the objections of the medical staff, then the hospital shall provide a detailed written explanation for the decision to the medical staff 10 days prior to the effective date of any closure. No applications need to be provided when membership in the medical staff or any relevant portion of the medical staff is closed.".

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.

On motion of Senator Dillard, **Senate Bill No. 1062** 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 1062, on page 1, line 2 by replacing "Sections 3.1 and 6." with "Section 3.1."; and
on page 1, line 6 by replacing "Sections 3.1 and 6" with "Section 3.1"; and
on page 2 by deleting lines 10 through 26.

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. 1063** 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 1063 on page 8, by replacing lines 2 and 3, with the following:
"changing Sections 10-8, 10-10, 10-10.3, 10-11, 10-15, 10-16, 10-17.9, 10-19, 12-9, and 12-10.2 and by adding Sections 10-10.4, 10-10.5, 10-11.2, and 10-26"; and
on page 9, by replacing lines 1 and 2 with "Payments under"; and
on page 9, by inserting immediately below line 11, the following:

"To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Sections 10-10.4 and 10-26 of this Code, the requirements pertaining to the State Disbursement Unit shall apply."; and
on page 16, by replacing lines 5 and 6 with "Payments under"; and
on page 16, immediately below line 15, by inserting the following:

"To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Sections 10-10.4 and 10-26 of this Code, the requirements pertaining to the State Disbursement Unit shall apply."; and
on page 16, immediately below line 18, by inserting the following:

"(305 ILCS 5/10-10.3) (from Ch. 23, par. 10-10.3)

Sec. 10-10.3. For those cases in which child support is payable to the clerk of the circuit court for transmittal to the Illinois Department by order of court, the clerk shall transmit all such payments, within 4 working days of receipt, to insure that funds are available for immediate distribution by the Department to the person

or entity entitled thereto in accordance with standards of the Child Support Enforcement Program established under Title IV-D of the Social Security Act. The clerk shall notify the Department of the date of receipt and amount thereof at the time of transmittal. Where the clerk has entered into an agreement of cooperation with the Department to record the terms of child support orders and payments made thereunder directly into the Department's automated data processing system, the clerk shall account for, transmit and otherwise distribute child support payments in accordance with such agreement in lieu of the requirements contained herein.

To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Sections 10-10.4 and 10-26 of this Code, the requirements pertaining to the State Disbursement Unit shall apply.

(Source: P.A. 86-1184.)"; and

on page 17, by replacing lines 10 and 11 with the following:

"(2) the order for support was entered after January 1, 1994, no party to the order is receiving child"; and

on page 17, by replacing lines 20 through 22 with the following:

"was entered by the court, to the clerk of the court.

(305 ILCS 5/10-10.5 new)

Sec. 10-10.5. Information to State Case Registry.

(a) When an order for support is entered or modified by the circuit court under Section 10-10, the clerk of the circuit court shall, within 5 business days, provide to the Illinois Department's State Case Registry established under Section 10-27 of this Code the court docket number and county in which the order is entered or modified and the following information, which the parties shall disclose to the court:

(1) The names of the custodial and non-custodial parents and the child or children covered by the order.

(2) The dates of birth of the custodial and non-custodial parents and of the child or children covered by the order.

(3) The social security numbers of the custodial and non-custodial parents and of the child or children covered by the order.

(4) The residential and mailing addresses for the custodial and non-custodial parents.

(5) The telephone numbers for the custodial and non-custodial parents.

(6) The driver's license numbers for the custodial and non-custodial parents.

(7) The name, address, and telephone number of each parent's employer or employers.

(b) When a child support order is entered or modified for a case in which a party is receiving child and spouse support services under Article X of this Code, the clerk shall provide the State Case Registry with the following information:

(1) The information specified in subsection (a) of this Section.

(2) The amount of monthly or other periodic support owed under the order and other amounts, including arrearages,

interest, or late payment penalties and fees, due or overdue under the order.

(3) Any amounts described in subdivision (2) of this subsection (b) that have been received by the clerk.

(4) The distribution of the amounts received by the clerk.

(c) A party shall report to the clerk of the circuit court changes in information required to the disclosed under this Section within 5 business days of the change.

(d) To the extent that updated information is in the clerk's possession, the clerk shall provide updates of the information specified in subsection (b) of this Section within 5 business days after the Illinois Department's request for that updated information.

(305 ILCS 5/10-11) (from Ch. 23, par. 10-11)

Sec. 10-11. Administrative Orders. In lieu of actions for court enforcement of support under Section 10-10, the Child and Spouse Support Unit of the Illinois Department, in accordance with the rules of the Illinois Department, may issue an administrative order requiring the responsible relative to comply with the terms of the determination and notice of support due, determined and issued under Sections 10-6 and 10-7. The Unit may also enter an administrative order under subsection (b) of Section 10-7. The administrative order shall be served upon the responsible relative by United States registered or certified mail. In cases in which the responsible relative appeared at the office of the Child and Spouse Support Unit in response to the notice of support obligation issued under Section 10-4, however, or in cases of default in which the notice was served on the responsible relative by certified mail, return receipt requested, ~~or by a private person as authorized under Section 10-4,~~ or by any method provided by law for service of summons, the administrative determination of paternity or administrative support order may be sent to the responsible relative by ordinary mail addressed to the responsible relative's last known address.

If a responsible relative or a person receiving child and spouse support services under this Article fails to petition the Illinois Department for release from or modification of the administrative order, as provided in Section 10-12 or Section 10-12.1, the order shall become final and there shall be no further administrative or judicial remedy. Likewise a decision by the Illinois Department as a result of an administrative hearing, as provided in Sections 10-13 to 10-13.10, shall become final and enforceable if not judicially reviewed under the Administrative Review Law, as provided in Section 10-14.

Any new or existing support order entered by the Illinois Department under this Section shall be deemed to be a series of judgments against the person obligated to pay support thereunder, each such judgment to be in the amount of each payment or installment of support and each such judgment to be deemed entered as of the date the corresponding payment or installment becomes due under the terms of the support order. Each such judgment shall have the full force, effect and attributes of any other judgment of this State, including the ability to be enforced. Any such judgment is subject to modification or termination only in accordance with Section 510 of the Illinois Marriage and Dissolution of Marriage Act. A lien arises by operation of law against the real and personal property of the noncustodial parent for each installment of overdue support owed by the noncustodial parent.

An order entered under this Section shall include a provision

requiring the obligor to report to the obligee and to the clerk of court within 10 days each time the obligor obtains new employment,

and each time the obligor's employment is terminated for any reason. The report shall be in writing and shall, in the case of new employment, include the name and address of the new employer. Failure to report new employment or the termination of current employment, if coupled with nonpayment of support for a period in excess of 60 days, is indirect criminal contempt. For any obligor arrested for failure to report new employment bond shall be set in the amount of the child support that should have been paid during the period of unreported employment. An order entered under this Section shall also include a provision requiring the obligor and obligee parents to advise each other of a change in residence within 5 days of the change except when the court finds that the physical, mental, or emotional health of a party or that of a minor child, or both, would be seriously endangered by disclosure of the party's address.

A one-time charge of 20% is imposable upon the amount of past-due child support owed on July 1, 1988, which has accrued under a support order entered by the Illinois Department under this Section. The charge shall be imposed in accordance with the provisions of Section 10-21 and shall be enforced by the court in a suit filed under Section 10-15.

(Source: P.A. 90-18, eff. 7-1-97; 90-539, eff. 6-1-98; 90-655, eff. 7-30-98; 90-790, eff. 8-14-98.)

(305 ILCS 5/10-11.2 new)

Sec. 10-11.2. Administrative support order information for State Case Registry. When the Illinois Department enters an administrative support order under Section 10-8.1 or Section 10-11, or modifies such an order, the custodial parent and the non-custodial parent shall provide to the Illinois Department, and update as appropriate, the following information to be included in the State Case Registry established under Section 10-27:

(1) The names of the custodial and non-custodial parents and of the child or children covered by the order.

(2) The dates of birth of the custodial and non-custodial parents and of the child or children covered by the order.

(3) The social security numbers of the custodial and non-custodial parents and of the child or children covered by the order.

(4) The residential and mailing addresses for the custodial and non-custodial parents.

(5) The telephone numbers for the custodial and non-custodial parents.

(6) The driver's license numbers for the custodial and non-custodial parents.

(7) The name, address, and telephone number of each parent's employer or employers.

(8) Any other information that may be required under Title IV, Part D of the Social Security Act or regulations promulgated thereunder.

(305 ILCS 5/10-15) (from Ch. 23, par. 10-15)

Sec. 10-15. Enforcement of Administrative Order - Costs and

Fees. If a responsible relative refuses, neglects, or fails to comply with a final administrative support or reimbursement order of the Illinois Department entered by the Child and Spouse Support Unit pursuant to Sections 10-11 or 10-11.1 or registered pursuant to Section 10-17.1, the Child and Spouse Support Unit may file suit against the responsible relative or relatives to secure compliance with the administrative order.

Suits shall be instituted in the name of the People of the State of Illinois on the relation of the Department of Public Aid of the State of Illinois and the spouse or dependent children for whom the support order has been issued.

The court shall order the payment of the support obligation, or orders for reimbursement of moneys for support provided, directly to the Illinois Department but the order shall permit the Illinois Department to direct the responsible relative or relatives to make payments of support directly to the spouse or dependent children, or to some person or agency in his or their behalf, as provided in Section 10-8 or 10-10, as applicable.

Whenever it is determined in a proceeding to enforce an administrative order that the responsible relative is unemployed, and support is sought on behalf of applicants for or recipients of financial aid under Article IV of this Code or other persons who are given access to the child and spouse support services of this Article as provided in Section 10-1, the court may order the responsible relative to seek employment and report periodically to the court with a diary, listing or other memorandum of his or her efforts in accordance with such order. In addition, the court may order the unemployed responsible relative to report to the Illinois Department for participation in job search, training or work programs established under Section 9-6 of this Code or to the Illinois Department of Employment Security for job search services or to make application with the local Jobs Training Partnership Act provider for participation in job search, training or work programs.

Charges imposed in accordance with the provisions of Section 10-21 shall be enforced by the Court in a suit filed under this Section.

To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Sections 10-10.4 and 10-26 of this Code, the requirements pertaining to the State Disbursement Unit shall apply.

(Source: P.A. 85-1440.)"; and

on page 18, by replacing lines 21 and 22 with "Payments under"; and

on page 19, by inserting immediately below line 10, the following:

"To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Sections 10-10.4 and 10-26 of this Code, the requirements pertaining to the State Disbursement Unit shall apply."; and

on page 21, by replacing lines 14 and 15 with "Payments under"; and

on page 21, by inserting immediately below line 24, the following:

"To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Sections 10-10.4 and 10-26 of this Code, the requirements pertaining

to the State Disbursement Unit shall apply."; and
on page 21, by replacing lines 31 through 33 with the following:
"The Illinois Department shall enter into an agreement with a State"; and
on page 22, by replacing lines 9 through 26 with the following:
"(2) in all cases in which the order for support was entered after January 1, 1994, child and spouse support services are not being provided under this Article X, and in which support payments are made under the provisions of the Income Withholding for Support Act.
(b) All payments received by the State Disbursement"; and
on page 23, line 2, by replacing "(d)" with "(c)"; and
on page 23, by replacing lines 7 through 20 with the following:
"(d) If the agreement with the State or local governmental unit or private entity provided for in this Section is not in effect for any reason, the Department shall perform the functions of the State Disbursement Unit as set forth in this Section for a maximum of 12 months."; and
on page 28, immediately below line 3, by inserting the following:
"Section 22. The Code of Civil Procedure is amended by changing

Section 2-101 as follows:
(735 ILCS 5/2-101) (from Ch. 110, par. 2-101)
Sec. 2-101. Generally. Except as otherwise provided in this Act, every action must be commenced (1) in the county of residence of any defendant who is joined in good faith and with probable cause for the purpose of obtaining a judgment against him or her and not solely for the purpose of fixing venue in that county, or (2) in the county in which the transaction or some part thereof occurred out of which the cause of action arose.
If a check, draft, money order, or other instrument for the payment of child support payable to or delivered to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code is returned by the bank or depository for any reason, venue for the enforcement of any criminal proceedings or civil cause of action for recovery and attorney fees shall be in the county where the principal office of the State Disbursement Unit is located.
If all defendants are nonresidents of the State, an action may be commenced in any county.
If the corporate limits of a city, village or town extend into more than one county, then the venue of an action or proceeding instituted by that municipality to enforce any fine, imprisonment, penalty or forfeiture for violation of any ordinance of that municipality, regardless of the county in which the violation was committed or occurred, may be in the appropriate court (i) in the county wherein the office of the clerk of the municipality is located or (ii) in any county in which at least 35% of the territory within the municipality's corporate limits is located.
(Source: P.A. 89-28, eff. 1-1-96.)"; and
on page 28, by replacing lines 5 and 6 with the following:
"Marriage Act is amended by changing Sections 507, 705, and 709 and adding Sections 505.3 and 507.1 as follows:
(750 ILCS 5/505.3 new)

Sec. 505.3. Information to State Case Registry.

(a) When an order for support is entered or modified under this Act, the clerk of the circuit court shall, within 5 business days, provide to the State Case Registry established under Section 10-27 of the Illinois Public Aid Code the court docket number and county in which the order is entered or modified and the following information, which the parties shall disclose to the court:

(1) The names of the custodial and non-custodial parents and of the child or children covered by the order.

(2) The dates of birth of the custodial and non-custodial parents and of the child or children covered by the order.

(3) The social security numbers of the custodial and non-custodial parents and of the child or children covered by the order.

(4) The residential and mailing addresses for the custodial and non-custodial parents.

(5) The telephone numbers for the custodial and non-custodial parents.

(6) The driver's license numbers for the custodial and non-custodial parents.

(7) The name, address, and telephone number of each parent's employer or employers.

(b) When a child support order is entered or modified for a case in which a party is receiving child and spouse support services under Article X of the Illinois Public Aid Code, the clerk shall provide the State Case Registry with the following information:

(1) The information specified in subsection (a) of this Section.

(2) The amount of monthly or other periodic support owed

under the order and other amounts, including arrearages, interest, or late payment penalties and fees, due or overdue under the order.

(3) Any amounts described in subdivision (2) of this subsection (b) that have been received by the clerk.

(4) The distribution of the amounts received by the clerk.

(c) A party shall report to the clerk of the circuit court changes in information required to the disclosed under this Section within 5 business days of the change.

(d) To the extent that updated information is in the clerk's possession, the clerk shall provide updates of the information specified in subsection (b) of this Section within 5 business days after the Illinois Department of Public Aid's request for that updated information.

(750 ILCS 5/507) (from Ch. 40, par. 507)

Sec. 507. Payment of maintenance or support to court.

(a) In actions instituted under this Act, the court shall order that maintenance and support payments be made to the clerk of court as trustee for remittance to the person entitled to receive the payments. However, the court in its discretion may direct otherwise where circumstances so warrant.

~~in accordance with the Income Withholding for Support~~

Upon notification in writing or by electronic transmission from

the Illinois Department of Public Aid to the clerk of the court that a person who is receiving support payments under this Section is receiving services under the Child Support Enforcement Program established by Title IV-D of the Social Security Act, any support payments subsequently received by the clerk of the court shall be transmitted in accordance with the instructions of the Illinois Department of Public Aid until the Department gives notice to the clerk of the court to cease the transmittal. After providing the notification authorized under this paragraph, the Illinois Department of Public Aid shall be entitled as a party to notice of any further proceedings in the case. The clerk of the court shall file a copy of the Illinois Department of Public Aid's notification in the court file. The failure of the clerk to file a copy of the notification in the court file shall not, however, affect the Illinois Department of Public Aid's right to receive notice of further proceedings.

(b) The clerk of court shall maintain records listing the amount of payments, the date payments are required to be made and the names and addresses of the parties affected by the order. For those cases in which support is payable to the clerk of the circuit court for transmittal to the Illinois Department of Public Aid by order of the court or upon notification of the Illinois Department of Public Aid, and the Illinois Department of Public Aid collects support by assignment, offset, withholding, deduction or other process permitted by law, the Illinois Department shall notify the clerk of the date and amount of such collection. Upon notification, the clerk shall record the collection on the payment record for the case.

(c) The parties affected by the order shall inform the clerk of court of any change of address or of other condition that may affect the administration of the order.

(d) The provisions of this Section shall not apply to cases that come under the provisions of Sections 709 through 712.

(e) To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Section 507.1 of this Act and Section 10-26 of the Illinois Public Aid Code, the requirements pertaining to the State Disbursement Unit shall apply.

(Source: P.A. 90-18, eff. 7-1-97; 90-673, eff. 1-1-99; 90-790, eff. 8-14-98; revised 9-14-98.)"; and

on page 29, by replacing lines 1 and 2 with the following:

"(2) the order for support was entered after January 1, 1994, no party to the order is receiving child"; and

on page 29, by replacing lines 11 and 12 with the following:

"and to the clerk of the court."; and

on page 31, by replacing lines 32 through 34 with the following:

"Payments under this Section to the Illinois Department"; and

on page 33, by inserting immediately below line 16, the following:

"(8) To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Section 507.1 of this Act and Section 10-26 of the Illinois Public Aid Code, the requirements pertaining to the State Disbursement Unit shall apply."; and

on page 36, by replacing lines 12 through 14 with the following:

"Payments under this Section to the Illinois Department"; and
on page 37, immediately below line 29, by inserting the following:
"(i) To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Section 507.1 of this Act and Section 10-26 of the Illinois Public Aid Code, the requirements pertaining to the State Disbursement Unit shall apply."; and
on page 37, line 32, by replacing "Section 2.2" with "Sections 2.2 and 12.2"; and
on page 40, by replacing lines 15 through 17 with the following:
"(4) Payments under this Section to the Illinois Department"; and
on page 41, immediately below line 26, by inserting the following:
"(7) To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Section 2.2 of this Act and Section 10-26 of the Illinois Public Aid Code, the requirements pertaining to the State Disbursement Unit shall apply."; and
on page 42, by replacing lines 21 and 22 with the following:
"(2) the order for support was entered after January 1, 1994, no party to the order is receiving child"; and
on page 42, by replacing lines 31 and 32 with the following:
"and to the clerk of the court.
(750 ILCS 15/12.2 new)
Sec. 12.2. Information to State Case Registry.
(a) When an order for support is entered or modified under this Act, the clerk of the circuit court shall, within 5 business days, provide to the State Case Registry established under Section 10-27 of the Illinois Public Aid Code the court docket number and county in which the order is entered or modified and the following information, which the parties shall disclose to the court:
(1) The names of the custodial and non-custodial parents and of the child or children covered by the order.
(2) The dates of birth of the custodial and non-custodial parents and of the child or children covered by the order.
(3) The social security numbers of the custodial and non-custodial parents and of the child or children covered by the order.
(4) The residential and mailing addresses for the custodial and non-custodial parents.
(5) The telephone numbers for the custodial and non-custodial parents.
(6) The driver's license numbers for the custodial and non-custodial parents.
(7) The name, address, and telephone number of each parent's employer or employers.
(b) When a child support order is entered or modified for a case

in which a party is receiving child and spouse support services under Article X of the Illinois Public Aid Code, the clerk shall provide the State Case Registry with the following information:
(1) The information specified in subsection (a) of this Section.

(2) The amount of monthly or other periodic support owed under the order and other amounts, including arrearages, interest, or late payment penalties and fees, due or overdue under the order.

(3) Any amounts described in subdivision (2) of this subsection (b) that have been received by the clerk.

(4) The distribution of the amounts received by the clerk.

(c) The parties affected by the order shall inform the clerk of court of any change of address or of other condition that may affect the administration of the order.

(d) To the extent that updated information is in the clerk's possession, the clerk shall provide updates of the information specified in subsection (b) of this Section within 5 business days after the Illinois Department of Public Aid's request for that updated information."; and

on page 47, by replacing line 6 with the following:

"(9) include the ~~obligor's~~ Social Security Numbers of the obligor, the obligee, and the child or children included in the order for support ~~Number~~;"; and

on page 53, by replacing lines 17 and 18 with the following:

"amended by changing Section 21 and adding Sections 14.1 and 21.1 as follows:

(750 ILCS 45/14.1 new)

Sec. 14.1. Information to State Case Registry.

(a) When an order for support is entered or modified under this Act, the clerk of the circuit court shall, within 5 business days, provide to the State Case Registry established under Section 10-27 of the Illinois Public Aid Code the court docket number and county in which the order is entered or modified and the following information, which the parties shall disclose to the court:

(1) The names of the custodial and non-custodial parents and of the child or children covered by the order.

(2) The dates of birth of the custodial and non-custodial parents and of the child or children covered by the order.

(3) The social security numbers of the custodial and non-custodial parents and of the child or children covered by the order.

(4) The residential and mailing addresses for the custodial and non-custodial parents.

(5) The telephone numbers for the custodial and non-custodial parents.

(6) The driver's license numbers for the custodial and non-custodial parents.

(7) The name, address, and telephone number of each parent's employer or employers.

(b) When a child support order is entered or modified for a case in which a party is receiving child and spouse support services under Article X of the Illinois Public Aid Code, the clerk shall provide the State Case Registry with the following information:

(1) The information specified in subsection (a) of this Section.

(2) The amount of monthly or other periodic support owed under the order and other amounts, including arrearages, interest, or late payment penalties and fees, due or overdue under the order.

(3) Any amounts described in subdivision (2) of this

subsection (b) that have been received by the clerk.

(4) The distribution of the amounts received by the clerk.

(c) The parties affected by the order shall inform the clerk of court of any change of address or of other condition that may affect the administration of the order.

(d) To the extent that updated information is in the clerk's possession, the clerk shall provide updates of the information specified in subsection (b) of this Section within 5 business days after the Illinois Department of Public Aid's request for that updated information."; and

on page 56, by replacing lines 14 through 16 with the following:

"Payments under this Section to the Illinois Department"; and

on page 57, immediately below line 26, by inserting the following:

"(7) To the extent the provisions of this Section are inconsistent with the requirements pertaining to the State Disbursement Unit under Section 21.1 of this Act and Section 10-26 of the Illinois Public Aid Code, the requirements pertaining to the State Disbursement Unit shall apply."; and

on page 58, by replacing lines 21 and 22 with the following:

"(2) the order for support was entered after January 1, 1994, no party to the order is receiving child and"; and

on page 58, by replacing lines 31 and 32 with the following:

"and to the clerk of the court.".

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. 1064** 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 1064 by replacing the title with the following:

"AN ACT to amend the Abused and Neglected Long Term Care Facility Residents Reporting Act."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Abused and Neglected Long Term Care Facility Residents Reporting Act is amended by changing Section 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8 as follows:

(210 ILCS 30/6.2) (from Ch. 111 1/2, par. 4166.2)

(Section scheduled to be repealed on January 1, 2000)

Sec. 6.2. Inspector General.

(a) The Governor shall appoint, and the Senate shall confirm, an Inspector General who shall function within the Department of Human Services and report to the Secretary of Human Services and the Governor. The Inspector General shall investigate reports of suspected abuse or neglect (as those terms are defined in Section 3 of this Act) of patients or residents in any mental health or developmental disabilities facility operated by the Department of Human Services and shall have authority to investigate and take

immediate action on reports of abuse or neglect of recipients, whether patients or residents, in any mental health or developmental disabilities facility or program that is licensed or certified by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) or that is funded by the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities) and is not licensed or certified by any agency of the State. At the specific, written

request of an agency of the State other than the Department of Human Services (as successor to the Department of Mental Health and Developmental Disabilities), the Inspector General may cooperate in investigating reports of abuse and neglect of persons with mental illness or persons with developmental disabilities. The Inspector General shall have no supervision over or involvement in routine, programmatic, licensure, or certification operations of the Department of Human Services or any of its funded agencies.

The Inspector General shall promulgate rules establishing minimum requirements for reporting allegations of abuse and neglect and initiating, conducting, and completing investigations. The promulgated rules shall clearly set forth that in instances where 2 or more State agencies could investigate an allegation of abuse or neglect, the Inspector General shall not conduct an investigation that is redundant to an investigation conducted by another State agency. The rules shall establish criteria for determining, based upon the nature of the allegation, the appropriate method of investigation, which may include, but need not be limited to, site visits, telephone contacts, or requests for written responses from agencies. The rules shall also clarify how the Office of the Inspector General shall interact with the licensing unit of the Department of Human Services in investigations of allegations of abuse or neglect. Any allegations or investigations of reports made pursuant to this Act shall remain confidential until a final report is completed. The resident or patient who allegedly was abused or neglected and his or her legal guardian shall be informed by the facility or agency of the report of alleged abuse or neglect. Final reports regarding unsubstantiated or unfounded allegations shall remain confidential, except that final reports may be disclosed pursuant to Section 6 of this Act.

The Inspector General shall be appointed for a term of 4 years.

(b) The Inspector General shall within 24 hours after receiving a report of suspected abuse or neglect determine whether the evidence indicates that any possible criminal act has been committed. If he determines that a possible criminal act has been committed, or that special expertise is required in the investigation, he shall immediately notify the Department of State Police. The Department of State Police shall investigate any report indicating a possible murder, rape, or other felony. All investigations conducted by the Inspector General shall be conducted in a manner designed to ensure the preservation of evidence for possible use in a criminal prosecution.

(b-5) The Inspector General shall make a determination to accept or reject a preliminary report of the investigation of alleged abuse

or neglect based on established investigative procedures. The facility or agency may request clarification or reconsideration based on additional information. For cases where the allegation of abuse or neglect is substantiated, the Inspector General shall require the facility or agency to submit a written response. The written response from a facility or agency shall address in a concise and reasoned manner the actions that the agency or facility will take or has taken to protect the resident or patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action.

(c) The Inspector General shall, within 10 calendar days after the transmittal date of a completed investigation where abuse or neglect is substantiated or administrative action is recommended, provide a complete report on the case to the Secretary of Human Services and to the agency in which the abuse or neglect is alleged to have happened. The complete report shall include a written response from the agency or facility operated by the State to the

Inspector General that addresses in a concise and reasoned manner the actions that the agency or facility will take or has taken to protect the resident or patient from abuse or neglect, prevent reoccurrences, and eliminate problems identified and shall include implementation and completion dates for all such action. The Secretary of Human Services shall accept or reject the response and establish how the Department will determine whether the facility or program followed the approved response. The Secretary may require Department personnel to visit the facility or agency for training, technical assistance, programmatic, licensure, or certification purposes. Administrative action, including sanctions, may be applied should the Secretary reject the response or should the facility or agency fail to follow the approved response. The facility or agency shall inform the resident or patient and the legal guardian whether the reported allegation was substantiated, unsubstantiated, or unfounded. There shall be an appeals process for any person or agency that is subject to any action based on a recommendation or recommendations.

(d) The Inspector General may recommend to the Departments of Public Health and Human Services sanctions to be imposed against mental health and developmental disabilities facilities under the jurisdiction of the Department of Human Services for the protection of residents, including appointment of on-site monitors or receivers, transfer or relocation of residents, and closure of units. The Inspector General may seek the assistance of the Attorney General or any of the several State's attorneys in imposing such sanctions.

(e) The Inspector General shall establish and conduct periodic training programs for Department employees concerning the prevention and reporting of neglect and abuse.

(f) The Inspector General shall at all times be granted access to any mental health or developmental disabilities facility operated by the Department, shall establish and conduct unannounced site visits to those facilities at least once annually, and shall be granted access, for the purpose of investigating a report of abuse or neglect, to any facility or program funded by the Department that is subject under the provisions of this Section to investigation by the

Inspector General for a report of abuse or neglect.

(g) Nothing in this Section shall limit investigations by the Department of Human Services that may otherwise be required by law or that may be necessary in that Department's capacity as the central administrative authority responsible for the operation of State mental health and developmental disability facilities.

(h) This Section is repealed on January 1, 2002 ~~2000~~.

(Source: P.A. 89-427, eff. 12-7-95; 89-507, eff. 7-1-97; 90-252, eff. 7-29-97; 90-512, eff. 8-22-97; 90-655, eff. 7-30-98.)

(210 ILCS 30/6.3) (from Ch. 111 1/2, par. 4166.3)

(Section scheduled to be repealed on January 1, 2000)

Sec. 6.3. Quality Care Board. There is created, within the Department of Human Services' Office of the Inspector General, a Quality Care Board to be composed of 7 members appointed by the Governor with the advice and consent of the Senate. One of the members shall be designated as chairman by the Governor. Of the initial appointments made by the Governor, 4 Board members shall each be appointed for a term of 4 years and 3 members shall each be appointed for a term of 2 years. Upon the expiration of each member's term, a successor shall be appointed for a term of 4 years. In the case of a vacancy in the office of any member, the Governor shall appoint a successor for the remainder of the unexpired term.

Members appointed by the Governor shall be qualified by professional knowledge or experience in the area of law, investigatory techniques, or in the area of care of the mentally ill or developmentally disabled. Two members appointed by the Governor

shall be persons with a disability or a parent of a person with a disability. Members shall serve without compensation, but shall be reimbursed for expenses incurred in connection with the performance of their duties as members.

The Board shall meet quarterly, and may hold other meetings on the call of the chairman. Four members shall constitute a quorum. The Board may adopt rules and regulations it deems necessary to govern its own procedures.

This Section is repealed on January 1, 2002 ~~2000~~.

(Source: P.A. 89-427, eff. 12-7-95; 89-507, eff. 7-1-97.)

(210 ILCS 30/6.4) (from Ch. 111 1/2, par. 4166.4)

(This Section is scheduled to be repealed January 1, 2000.)

Sec. 6.4. Scope and function of the Quality Care Board. The Board shall monitor and oversee the operations, policies, and procedures of the Inspector General to assure the prompt and thorough investigation of allegations of neglect and abuse. In fulfilling these responsibilities, the Board may do the following:

(1) Provide independent, expert consultation to the Inspector General on policies and protocols for investigations of alleged neglect and abuse.

(2) Review existing regulations relating to the operation of facilities under the control of the Department.

(3) Advise the Inspector General as to the content of training activities authorized under Section 6.2.

(4) Recommend policies concerning methods for improving the intergovernmental relationships between the office of the

Inspector General and other State or federal agencies.

This Section is repealed on January 1, 2002 ~~2000~~.

(Source: P.A. 89-427, eff. 12-7-95.)

(210 ILCS 30/6.5) (from Ch. 111 1/2, par. 4166.5)

(Section scheduled to be repealed on January 1, 2000)

Sec. 6.5. Investigators. Within 60 days after the effective date of this amendatory Act of 1992, the Inspector General shall establish a comprehensive program to ensure that every person employed or newly hired to conduct investigations shall receive training on an on-going basis concerning investigative techniques, communication skills, and the appropriate means of contact with persons admitted or committed to the mental health or developmental disabilities facilities under the jurisdiction of the Department of Human Services.

This Section is repealed on January 1, 2002 ~~2000~~.

(Source: P.A. 89-427, eff. 12-7-95; 89-507, eff. 7-1-97.)

(210 ILCS 30/6.6) (from Ch. 111 1/2, par. 4166.6)

(This Section is scheduled to be repealed January 1, 2000.)

Sec. 6.6. Subpoenas; testimony; penalty. The Inspector General shall have the power to subpoena witnesses and compel the production of books and papers pertinent to an investigation authorized by this Act, provided that the power to subpoena or to compel the production of books and papers shall not extend to the person or documents of a labor organization or its representatives insofar as the person or documents of a labor organization relate to the function of representing an employee subject to investigation under this Act. Mental health records of patients shall be confidential as provided under the Mental Health and Developmental Disabilities Confidentiality Act. Any person who fails to appear in response to a subpoena or to answer any question or produce any books or papers pertinent to an investigation under this Act, except as otherwise provided in this Section, or who knowingly gives false testimony in relation to an investigation under this Act is guilty of a Class A misdemeanor.

This Section is repealed on January 1, 2002 ~~2000~~.

(Source: P.A. 89-427, eff. 12-7-95.)

(210 ILCS 30/6.7) (from Ch. 111 1/2, par. 4166.7)

(This Section is scheduled to be repealed July 1, 2000.)

Sec. 6.7. Annual report. The Inspector General shall provide to the General Assembly and the Governor, no later than January 1 of each year, a summary of reports and investigations made under this Act for the prior fiscal year with respect to residents of institutions under the jurisdiction of the Department. The report shall detail the imposition of sanctions and the final disposition of those recommendations. The summaries shall not contain any confidential or identifying information concerning the subjects of the reports and investigations. The report shall also include a trend analysis of the number of reported allegations and their disposition, for each facility and Department-wide, for the most recent 3-year time period and a statement, for each facility, of the staffing-to-patient ratios. The ratios shall include only the number of direct care staff. The report shall also include detailed

recommended administrative actions and matters for consideration by the General Assembly.

This Section is repealed on January 1, 2002 ~~July 1, 2000~~.

(Source: P.A. 89-427, eff. 12-7-95.)

(210 ILCS 30/6.8) (from Ch. 111 1/2, par. 4166.8)

(Section scheduled to be repealed on January 1, 2000)

Sec. 6.8. Program audit. The Auditor General shall conduct a biennial program audit of the office of the Inspector General in relation to the Inspector General's compliance with this Act. The audit shall specifically include the Inspector General's effectiveness in investigating reports of alleged neglect or abuse of residents in any facility operated by the Department and in making recommendations for sanctions to the Departments of Human Services and Public Health. The Auditor General shall conduct the program audit according to the provisions of the Illinois State Auditing Act and shall report its findings to the General Assembly no later than January 1 of each odd-numbered year.

This Section is repealed on January 1, 2002 ~~2000~~.

(Source: P.A. 89-427, eff. 12-7-95; 89-507, eff. 7-1-97.).

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 Donahue, **Senate Bill No. 1065** 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 1065 on page 3, line 13 by replacing "either ~~any~~" with "any"; and

on page 3, by replacing lines 16 and 17 with the following:

"(2) A physical or mental condition which typically results ~~has a high probability of resulting~~ in developmental delay."; and

on page 3, by replacing lines 18 through 20 with the following:

"(3) Being at risk of having substantial ~~developmental~~ delays as defined by the Department by rule ~~due to a combination of serious factors~~."; and

by replacing lines 27 through 33 on page 3 and lines 1 through 5 on page 4 with the following:

"(c) "Physical or mental condition which typically results ~~has a high probability of resulting~~ in developmental delay" means:

(1) a diagnosed medical disorder bearing a relatively well known expectancy for developmental outcomes within varying ranges of developmental disabilities; or

(2) a history of prenatal, perinatal, neonatal or early developmental events suggestive of biological insults to the developing central nervous system and which either singly or collectively increase the probability of developing a disability

or delay based on a medical history."; and

on page 6, by replacing line 8 with the following:

"(11) are provided"; and

on page 6, line 10, by replacing "settings," with "settings"; and

on page 6, by replacing lines 11 and 12 with the following:

"disabilities would participate to the extent determined by the multidisciplinary Individualized Family Service Plan ~~desired by families~~."; and

on page 10, line 8, after "Council", by inserting "and as defined by administrative rule"; and

on page 10 line 17, by replacing "designated by" with "as a part of"; and

on page 10, by replacing lines 23 and 24 with the following:

"responsible as a part of ~~to~~ the lead agency for implementation of this Act. There shall not be unnecessary duplication of effort by the various agencies involved in the State's child find system established under this Section."; and

on page 12, by replacing lines 10 through 12 with the following:

"Parents must be informed that, at their discretion, early intervention services shall be provided to each eligible infant and toddler in the natural environment, which may include the home or other community settings ~~parents' home~~. Parents shall make"; and

on page 12, line 22, after "safeguards", by inserting "for families"; and

on page 12, by replacing lines 28 through 32 with the following:

"complaints by parents as defined by administrative rule. ~~The process shall use formal mediation~~"; and

on page 15, line 12, after the period, by inserting the following:

"The central billing office within the lead agency shall be the entity responsible for assessing and collecting fees.".

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. 1067** 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. 1104** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1104 by replacing the title with the following:

"AN ACT to amend the Carnival and Amusement Rides Safety Act."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Carnival and Amusement Rides Safety Act is amended by changing Section 2-6 as follows:

(430 ILCS 85/2-6) (from Ch. 111 1/2, par. 4056)

Sec. 2-6. Promulgation of rules and regulations by the Board; public hearing. The Board shall promulgate and formulate definitions, rules and regulations for the safe installation, repair, maintenance, use, operation and inspection of all amusement rides and amusement attractions as the Board finds necessary for the protection of the general public using amusement rides and amusement attractions. The rules shall be based upon generally accepted engineering standards and shall be concerned with, but not necessarily limited to, engineering force stresses, safety devices, and preventive maintenance. Whenever such standards are available in suitable form they may be incorporated by reference. The rules shall provide for the reporting of accidents and injuries incurred from the operation of amusement rides or amusement attractions. In addition to the permit fee herein provided, the Board may promulgate rules to establish a schedule of fees for inspections.

Before adopting, modifying or amending any rule consistent with and necessary for the enforcement of this Act, the Director or Board shall hold a public hearing on the proposed rule, modification or amendment to a rule. Any interested person may appear and be heard at the hearing, in person or by agent or counsel. The Director shall give the news media notice of each hearing at least 30 days in advance of the hearing date and shall make available a copy of the proposed rule, or modification or amendment to a rule to any person requesting same. The provisions of this Section are in addition to all other existing requirements pertaining to the promulgation of administrative rules and regulations.

(Source: P.A. 83-1240.)".

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. 1106** 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. 1110** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator W. Jones, **Senate Bill No. 1113** 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. 1114** 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 1114 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing Home Care Act is amended by changing Sections 3-206, 3-206.01, and 3-206.02 as follows:

(210 ILCS 45/3-206) (from Ch. 111 1/2, par. 4153-206)

Sec. 3-206. The Department shall prescribe a curriculum for

training nursing assistants, habilitation aides, and child care aides. ~~nurse's aides, orderlies and nurse technicians.~~

(a) No person, except a volunteer who receives no compensation from a facility and is not included for the purpose of meeting any staffing requirements set forth by the Department, shall act as a

nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician~~ in a facility, nor shall any person, under any other title, not licensed, certified, or registered to render medical care by the Department of Professional Regulation, assist with the personal, medical, or nursing care of residents in a facility, unless such person meets the following requirements:

(1) Be at least 16 years of age, of temperate habits and good moral character, honest, reliable and trustworthy;

(2) Be able to speak and understand the English language or a language understood by a substantial percentage of the facility's residents;

(3) Provide evidence of employment or occupation, if any, and residence for 2 years prior to his present employment;

(4) Have completed at least 8 years of grade school or provide proof of equivalent knowledge;

(5) Begin a current course of training for nursing assistants, habilitation aides, or child care aides ~~nurse's aides, orderlies and nurse technicians~~, approved by the Department, within 45 days of initial employment in the capacity of a nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician~~ at any facility. Such courses of training shall be successfully completed within 120 days of initial employment in the capacity of nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician~~ at a facility. Nursing assistants, habilitation aides, and child care aides ~~Nurse's aides, orderlies and nurse technicians~~ who are enrolled in approved courses in community colleges or other educational institutions on a term, semester or trimester basis, shall be exempt from the 120 day completion time limit. The Department shall adopt rules ~~and regulations~~ for such courses of training. These rules ~~and regulations~~ shall include procedures for facilities to carry on an approved course of training within the facility.

The Department may accept comparable training in lieu of the 120 hour course for student nurses, foreign nurses, military personnel, or employes of the Department of Human Services. ~~However, no person who on the effective date of this Act has been continuously employed at the same facility for one year or has been employed at more than one facility for 2 years as a nurse's aide, orderly or nurse technician shall be required to complete such a course of training, and no student intern shall be required to complete a course of training.~~

~~Any person who is or will be employed as a nurse's aide, orderly or nurse technician in a facility may elect to take a proficiency examination. Upon successful completion of such proficiency examination, no person who is or will be employed as a nurse's aide, orderly or nurse technician shall be required to~~

~~complete a course of training as required by this Section. The Department may, by rule, establish a recognized course which may be taught in a facility. Persons enrolled in such course shall be required to successfully complete the proficiency examination within 120 days after the commencement of employment. The Department shall adopt rules and regulations governing the composition and administration of such proficiency examinations.~~

The facility shall develop and implement procedures, which shall be approved by the Department, for an ongoing review process, which shall take place within the facility, for nursing assistants, habilitation aides, and child care aides ~~nurse's aides, orderlies and nurse technicians~~.

At the time of each regularly scheduled licensure survey, or at the time of a complaint investigation, the Department may

require any nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician who is required to be trained under this Section or who has successfully completed a proficiency examination as described in this Section,~~ to demonstrate, either through written examination or action, or both, sufficient knowledge in all areas of required training. If such knowledge is inadequate the Department shall require the nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician~~ to complete inservice training and review in the facility until the nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician~~ demonstrates to the Department, either through written examination or action, or both, sufficient knowledge in all areas of required training; and

(6) Be familiar with and have general skills related to resident care.

(a-0.5) An educational entity, other than a secondary school, conducting a nursing assistant, habilitation aide, or child care aide ~~nurse aide~~ training program shall initiate a UCIA criminal history record check prior to entry of an individual into the training program. A secondary school may initiate a UCIA criminal history record check prior to the entry of an individual into a training program.

(a-1) Nursing assistants, habilitation aides, or child care aides ~~Nurse aides~~ seeking to be included on the ~~nurse aide~~ registry on or after January 1, 1996 must authorize the Department of Public Health or its designee that tests nursing assistants ~~nurse aides~~ to request a UCIA criminal history check and submit all necessary information.

(b) Persons subject to this Section shall perform their duties under the supervision of a nurse.

(c) It is unlawful for any facility to employ any person in the capacity of nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician~~, or under any other title, not licensed by the State of Illinois to assist in the personal, medical, or nursing care of residents in such facility unless such person has complied with this Section.

(d) Proof of compliance by each employee with the requirements

set out in this Section shall be maintained for each such employee by each facility in the individual personnel folder of the employee.

(e) Each facility shall certify to the Department on a form provided by the Department the name and residence address of each employee, and that each employee subject to this Section meets all the requirements of this Section.

(f) Any facility that ~~which~~ is operated under Section 3-803 shall be exempt from the requirements of this Section.

(g) Each skilled nursing and intermediate care facility that ~~which~~ admits persons who are diagnosed as having Alzheimer's disease or related dementias shall require all nursing assistants, habilitation aides, or child care aides ~~nurse's aides, orderlies and nurse technicians~~, who did not receive 12 hours of training in the care and treatment of such residents during the training required under paragraph (5) of subsection (a), to obtain 12 hours of in-house training in the care and treatment of such residents. If the facility does not provide the training in-house, the training shall be obtained from other facilities, community colleges or other educational institutions that ~~which~~ have a recognized course for such training. The Department shall, by rule, establish a recognized course for such training~~; however, no such additional hours of training shall be required of any nurse's aide, orderly or nurse technician employed in such capacity on the effective date of this~~

~~amendatory Act of 1987~~. The Department's rules shall provide that such training may be conducted in-house at each facility subject to the requirements of this subsection, in which case such training shall be monitored by the Department.

The Department's rules shall also provide for circumstances and procedures whereby any person who has received ~~such~~ training that ~~which~~ meets the requirements of this subsection shall not be required to undergo additional training if he or she is transferred to or obtains employment at a different facility but remains continuously employed as a nursing assistant, habilitation aide, or child care aide ~~nurse's aide, orderly or nurse technician~~. Licensed sheltered care facilities shall be exempt from the requirements of this Section.

(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96.)

(210 ILCS 45/3-206.01) (from Ch. 111 1/2, par. 4153-206.01)

Sec. 3-206.01. The Department shall establish and maintain a registry of all individuals who have satisfactorily completed the training required by Section 3-206 ~~and who have not been disqualified pursuant to the Health Care Background Check Act~~. The registry shall include the name of the nursing assistant, habilitation aide, or child care aide ~~nurse aide~~, his or her current address, Social Security number, and the date and location of the training course completed by the individual ~~aide~~, and the date of the individual's ~~nurse aide's~~ last criminal records check. Any individual ~~nurse aide~~ placed on the registry is required to inform the Department of any change of address within 30 days. A facility shall not employ an individual as a nursing assistant, habilitation aide, or child care aide ~~nurse aide~~ unless the facility has inquired of the Department as to information in the registry concerning the individual and shall

not employ anyone not on the registry unless the individual is enrolled in a training program under paragraph (5) of subsection (a) of Section 3-206 of this Act.

If the Department finds that a nursing assistant, habilitation aide, or child care aide ~~nurse aide~~ has abused a resident, neglected a resident, or misappropriated resident property in a facility, the Department shall notify the individual ~~nurse aide~~ of this finding by certified mail sent to the address contained in the registry. The notice shall give the individual ~~nurse aide~~ an opportunity to contest the finding in a hearing before the Department or to submit a written response to the findings in lieu of requesting a hearing. If, after a hearing or if the individual ~~nurse aide~~ does not request a hearing, the Department finds that the individual ~~nurse aide~~ abused a resident, neglected a resident, or misappropriated resident property in a facility, the finding shall be included as part of the ~~nurse aide~~ registry as well as a brief statement from the individual, ~~nurse aide~~ if he or she chooses to make such a statement. The Department shall make ~~available to the public~~ information in the registry available to the public. In the case of inquiries to the registry concerning an individual listed in the registry, any information disclosed concerning such a finding shall also include disclosure of any statement in the registry relating to the finding or a clear and accurate summary of the statement.

(Source: P.A. 89-197, eff. 7-21-95.)

(210 ILCS 45/3-206.02) (from Ch. 111 1/2, par. 4153-206.02)

Sec. 3-206.02. (a) The Department, after notice to the nursing assistant, habilitation aide, or child care aide ~~nurse aide~~, may denote that ~~suspend or remove a nurse aide from the registry in any case in which~~ the Department has found ~~finds~~ any of the following:

(1) The nursing assistant, habilitation aide, or child care aide ~~nurse aide~~ has abused a resident.

(2) The nursing assistant, habilitation aide, or child care

aide ~~nurse aide~~ has neglected a resident.

(3) The nursing assistant, habilitation aide, or child care aide ~~nurse aide~~ has misappropriated resident property.

(4) The nursing assistant, habilitation aide, or child care aide ~~nurse aide~~ has been convicted of (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or (iii) any crime that is directly related to the duties of a nursing assistant, habilitation aide, or child care aide ~~nurse aide~~.

(b) Notice under this Section shall include a clear and concise statement of the grounds denoting abuse, neglect, or theft ~~on which the suspension or removal is based~~ and notice of the opportunity for a hearing to contest the designation ~~suspension or removal~~.

(c) The Department may ~~suspend or remove~~ denote any nursing assistant, habilitation aide, or child care aide on ~~nurse aide from~~ the registry who fails (i) to file a return, (ii) to pay the tax, penalty or interest shown in a filed return, or (iii) to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until the time the requirements of the tax Act are satisfied.

(c-1) The Department shall document criminal background check results ~~remove a nurse aide from the registry~~ pursuant to the requirements of the Health Care Worker Background Check Act.

(d) In the case of a designation of neglect under subsection (a)(2), a nursing assistant, habilitation aide, or child care aide may petition the Department for removal of the designation upon a determination by the Department that:

(1) the employment and personal history of the nursing assistant, habilitation aide, or child care aide do not reflect a pattern of abusive behavior or neglect; and

(2) the event involved in the original finding was a singular occurrence.

In no case shall a determination on a petition submitted under this subsection be made prior to the expiration of the one year period beginning on the date on which the designation was added under subsection (a)(2). ~~At any time after the suspension or removal from the registry pursuant to subsection (a), (b), or (c) of this Section, a nurse aide may petition the Department for reinstatement on the registry. The Department may reinstate the nurse aide on the registry unless, after an investigation and a hearing, the Department determines that reinstatement is not in the public interest.~~

(Source: P.A. 89-197, eff. 7-21-95.)

Section 10. The Health Care Worker Background Check Act is amended by changing Sections 15, 20, 25, 30, 35, 40, 55, and 60 as follows:

(225 ILCS 46/15)

Sec. 15. Definitions. For the purposes of this Act, the following definitions apply:

"Applicant" means an individual seeking employment with a health care employer who has received a bona fide conditional offer of employment.

"Conditional offer of employment" means a bona fide offer of employment by a health care employer to an applicant, which is contingent upon the receipt of a report from the Department of State Police indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in Section 25.

"Direct care" means the provision of nursing care or assistance with feeding ~~meals~~, dressing, movement, bathing, toileting, or other personal needs. The entity responsible for inspecting and licensing, certifying, or registering the health care employer may, by administrative rule, prescribe guidelines for interpreting this

definition with regard to the health care employers that it licenses. ~~or maintenance, or general supervision and oversight of the physical and mental well-being of an individual who is incapable of managing his or her person whether or not a guardian has been appointed for that individual.~~

"Health care employer" means:

(1) the owner or licensee of any of the following:

(i) a community living facility, as defined in the Community Living Facilities Act;

(ii) a life care facility, as defined in the Life Care Facilities Act;

(iii) a long-term care facility, as defined in the Nursing Home Care Act;

(iv) a home health agency, as defined in the Home Health Agency Licensing Act;

(v) a full hospice, as defined in the Hospice Program Licensing Act;

(vi) a hospital, as defined in the Hospital Licensing Act;

(vii) a community residential alternative, as defined in the Community Residential Alternatives Licensing Act;

(viii) a nurse agency, as defined in the Nurse Agency Licensing Act;

(ix) a respite care provider, as defined in the Respite Program Act;

(x) a supportive living program, as defined in the Illinois Public Aid Code;

(xi) early childhood intervention programs as described in 59 Ill. Adm. Code 121;

(xii) the University of Illinois Hospital, Chicago;

(xiii) programs funded by the Department on Aging through the Community Care Program;

(xiv) programs certified to participate in the Supportive Living Program authorized pursuant to Section 5-5.01a of the Illinois Public Aid Code;

(xv) programs listed by the Emergency Medical Services (EMS) Systems Act as Freestanding Emergency Centers;

(xvi) locations licensed under the Alternative Health Care Delivery Act;

(2) a day training program certified by the Department of Human Services; or

(3) a community integrated living arrangement operated by a community mental health and developmental service agency, as defined in the Community-Integrated Living Arrangements Licensing and Certification Act.

"Initiate" means the obtaining of the authorization for a record check from a student, applicant, or employee. The educational entity or health care employer or its designee shall transmit all necessary information and fees to the Illinois State Police within 10 working days after receipt of the authorization.

(Source: P.A. 89-197, eff. 7-21-95; 89-507, eff. 7-1-97; 89-674, eff. 8-14-96; 90-14, eff. 7-1-97; 90-776, eff. 1-1-99.)

(225 ILCS 46/20)

Sec. 20. Exceptions.

(1) This Act shall not apply to:

(a) an individual who is licensed by the Department of Professional Regulation or the Department of Public Health under another law of this State;

(b) an individual employed or retained by a health care employer for whom a criminal background check is required by another law of this State; or

(c) a student in a licensed health care field including,

but not limited to, a student nurse, a physical therapy student, or a respiratory care student unless he or she is employed by a

health care employer in a position with duties involving direct care for clients, patients, or residents.

(2) A UCIA criminal history records check need not be redone by the University of Illinois Hospital, Chicago (U of I) or a program funded by the Department on Aging through the Community Care Program (CCP) if the U of I or the CCP: (i) has done a UCIA check on the individual; (ii) has continuously employed the individual since the UCIA criminal records check was done; and (iii) has taken actions with respect to this Act within 12 months after the effective date of this amendatory Act of the 91st General Assembly.

(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96.)

(225 ILCS 46/25)

Sec. 25. Persons ineligible to be hired by health care employers.

(a) After January 1, 1996, or January 1, 1997, as applicable, no health care employer shall knowingly hire, employ, or retain any individual in a position with duties involving direct care for clients, patients, or residents, who has been convicted of committing or attempting to commit one or more of the offenses defined in Sections 8-1.1, 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 11-6, 11-9.1, 11-19.2, 11-20.1, 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-21, 12-21.6, 12-32, 12-33, 16-1, 16-1.3, 16A-3, 17-3, 18-1, 18-2, 18-3, 18-4, 18-5, 19-1, 19-3, 19-4, 20-1, 20-1.1, 24-1, 24-1.2, 24-1.5, or 33A-2 of the Criminal Code of 1961; those provided in Section 4 of the Wrongs to Children Act; those provided in Section 53 of the Criminal Jurisprudence Act; those defined in Section 5, 5.1, 5.2, 7, or 9 of the Cannabis Control Act; or those defined in Sections 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act, unless the applicant or employee obtains a waiver pursuant to Section 40.

(b) A health care employer shall not hire, employ, or retain any individual in a position with duties involving direct care of clients, patients, or residents if the health care employer becomes aware that the individual has been convicted in another state of committing or attempting to commit an offense that has the same or similar elements as an offense listed in subsection (a), as verified by court records, records from a state agency, or an FBI criminal history record check. This shall not be construed to mean that a health care employer has an obligation to conduct a criminal history records check in other states in which an employee has resided.

(Source: P.A. 89-197, eff. 7-21-95; 89-428, eff. 12-13-95; 89-462, eff. 5-29-96; P.A. 90-441, eff. 1-1-98.)

(225 ILCS 46/30)

Sec. 30. Non-fingerprint based UCIA criminal records check.

(a) Beginning on January 1, 1997 ~~the effective date of this amendatory Act of 1996~~, an educational entity, other than a secondary school, conducting a nurse aide training program must initiate a UCIA criminal history records check prior to entry of an individual into the training program. A nurse aide seeking to be included on the nurse aide registry shall authorize the Department of Public Health or its designee that tests nurse aides or the health care employer or its designee to request a criminal history record check pursuant to the Uniform Conviction Information Act (UCIA) for each nurse aide applying for inclusion on the State nurse aide registry. Any nurse aide not submitting the required authorization and information for

the record check will not be added to the State nurse aide registry. A nurse aide will not be entered on the State nurse aide registry if

the report from the Department of State Police indicates that the nurse aide has a record of conviction of any of the criminal offenses enumerated in Section 25 unless the nurse aide's identity is validated and it is determined that the nurse aide does not have a disqualifying criminal history record based upon a fingerprint-based records check pursuant to Section 35 or the nurse aide receives a waiver pursuant to Section 40.

(b) The Department of Public Health shall notify each health care employer inquiring as to the information on the State nurse aide registry of the date of the nurse aide's last UCIA criminal history record check. If it has been more than one year since the records check, the health care employer must initiate or have initiated on his or her behalf a UCIA criminal history record check for the nurse aide pursuant to this Section. The health care employer must send a copy of the results of the record check to the State nurse aide registry for an individual employed as a nurse aide.

(c) Beginning January 1, 1996, a health care employer who makes a conditional offer of employment to an applicant other than a nurse aide for position with duties that involve direct care for clients, patients, or residents must initiate or have initiated on his or her behalf a UCIA criminal history record check for that applicant.

(d) No later than January 1, 1997, a health care employer must initiate or have initiated on his or her behalf a UCIA criminal history record check for all employees other than those enumerated in subsections (a), (b), and (c) of this Section with duties that involve direct care for clients, patients, or residents. A health care employer having actual knowledge <u>from a source other than a non-fingerprint check</u> that an employee has been convicted of committing or attempting to commit one of the offenses enumerated in Section 25 of this Act must initiate a fingerprint-based background check within 10 working days of acquiring that knowledge. The employer may continue to employ that individual in a direct care position, may reassign that individual to a non-direct care position, or may suspend the individual until the results of the fingerprint-based background check are received.

(e) The request for a UCIA criminal history record check must be in the form prescribed by the Department of State Police.

(f) The applicant or employee must be notified of the following whenever a non-fingerprint check is made:

(i) that the health care employer shall request or have requested on his or her behalf a UCIA criminal history record check pursuant to this Act;

(ii) that the applicant or employee has a right to obtain a copy of the criminal records report <u>from the health care employer</u>, challenge the accuracy and completeness of the report, and request a waiver under Section 40 of this Act;

(iii) that the applicant, if hired conditionally, may be terminated if the criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in Section 25 unless the applicant's identity

is validated and it is determined that the applicant does not have a disqualifying criminal history record based on a fingerprint-based records check pursuant to Section 35.

(iv) that the applicant, if not hired conditionally, shall not be hired if the criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in Section 25 unless the applicant's record is cleared based on a fingerprint-based records check pursuant to Section 35.

(v) that the employee may be terminated if the criminal records report indicates that the employee has a record of

conviction of any of the criminal offenses enumerated in Section 25 unless the employee's record is cleared based on a fingerprint-based records check pursuant to Section 35.

(g) A health care employer may conditionally employ an applicant to provide direct care for up to 3 months pending the results of a UCIA criminal history record check.

(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96.)

(225 ILCS 46/35)

Sec. 35. Fingerprint-based UCIA criminal records check.

An applicant, employee, or nurse aide whose UCIA criminal history record check indicates a conviction for committing or attempting to commit one or more of the offenses enumerated in subsection (a) of Section 25 may request that the health care employer or its designee commence a fingerprint-based UCIA criminal records check by submitting any necessary fees and information in a form and manner prescribed by the Department of State Police within 30 days after receipt of the criminal records report. The fee for a fingerprint-based UCIA criminal records check shall not exceed the actual cost of the records check.

(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96.)

(225 ILCS 46/40)

Sec. 40. Waiver.

(a) An applicant, employee, or nurse aide may request a waiver of the prohibition against employment by submitting the following information to the entity responsible for inspecting, licensing, certifying, or registering the health care employer within 5 working days after the receipt of the criminal records report:

(1) Information necessary to initiate a fingerprint-based UCIA criminal records check in a form and manner prescribed by the Department of State Police; and

(2) The fee for a fingerprint-based UCIA criminal records check, which shall not exceed the actual cost of the record check.

(a-5) The entity responsible for inspecting, licensing, certifying, or registering the health care employer may accept the results of the fingerprint-based UCIA criminal records check instead of the items required by paragraphs (1) and (2) of subsection (a).

(b) The entity responsible for inspecting, licensing, certifying, or registering the health care employer may grant a waiver based upon any mitigating circumstances, which may include, but need not be limited to:

(1) The age of the individual at which the crime was committed;

(2) The circumstances surrounding the crime;

(3) The length of time since the conviction;

(4) The applicant or employee's criminal history since the conviction;

(5) The applicant or employee's work history;

(6) The applicant or employee's current employment references;

(7) The applicant or employee's character references;

(8) Nurse aide registry records; and

(9) Other evidence demonstrating the ability of the applicant or employee to perform the employment responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, patients, or clients.

(c) The entity responsible for inspecting, licensing, certifying, or registering a health care employer must inform the health care employer if a waiver is being sought and must act upon the waiver request within 30 days of receipt of all necessary

information, as defined by rule.

(d) An individual shall not be employed in a direct care position from the time that the employer receives the results of a non-fingerprint check containing disqualifying conditions until the time that the individual receives a waiver from the Department. If the individual challenges the results of the non-fingerprint check, the employer may continue to employ the individual in a direct care position if the individual presents convincing evidence to the employer that the non-fingerprint check is invalid. If the individual challenges the results of the non-fingerprint check, his or her identity shall be validated by a fingerprint-based records check in accordance with Section 35. ~~An individual may not be employed in a direct care position during the pendency of a waiver request.~~

(e) The entity responsible for inspecting, licensing, certifying, or registering the health care employer shall be immune from liability for any waivers granted under this Section.

(f) A health care employer is not obligated to employ or offer permanent employment to an applicant, or to retain an employee who is granted a waiver under this Section.

(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96.)

(225 ILCS 46/55)

Sec. 55. Immunity from liability. A health care employer shall not be liable for the failure to hire or to retain an applicant or employee who has been convicted of committing or attempting to commit one or more of the offenses enumerated in subsection (a) of Section 25 of this ~~the~~ Act. However, if a health care worker is suspended from employment based on the results of a criminal background check conducted under this Act and the results prompting the suspension are subsequently found to be inaccurate, the health care worker is entitled to recover backpay from his or her health care employer for the suspension period provided that the employer is the cause of the inaccuracy.

No health care employer shall be chargeable for any benefit charges that result from the payment of unemployment benefits to any claimant when the claimant's separation from that employer occurred because the claimant's criminal background included an offense enumerated in subsection (a) of Section 25, or the claimant's separation from that health care employer occurred as a result of the claimant violating a policy that the employer was required to maintain pursuant to the Drug Free Workplace Act.
(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96; 90-441, eff. 1-1-98.)

(225 ILCS 46/60)

Sec. 60. Offense.

(a) Any person whose profession is job counseling who knowingly counsels any person who has been convicted of committing or attempting to commit any of the offenses enumerated in subsection (a) of Section 25 to apply for a position with duties involving direct contact with a client, patient, or resident of a health care employer shall be guilty of a Class A misdemeanor unless a waiver is granted pursuant to Section 40 of this Act.

(b) Subsection (a) does not apply to an individual performing official duties in connection with the administration of the State employment service described in Section 1705 of the Unemployment Insurance Act.
(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96.)

Section 99. Effective date. This Act takes effect January 1, 2000.".

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. 1116** 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. 1207** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1207 on page 4, by inserting below line 14 the following:

"Section 99. Effective date. This Act takes effect on July 1, 1999.".

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 1207 on page 1, line 1, by replacing "Great Lakes" with "John Joseph Kelly"; and
on page 1, line 29, by replacing "Great Lakes" with "John Joseph Kelly"; and
on page 2, line 8, by replacing "Great Lakes" with "John Joseph

Kelly"; and
on page 4, line 14, by replacing "Great Lakes" with "John Joseph Kelly".

There being no further amendments, the foregoing Amendments numbered 1 and 2, were 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 Philip, **Senate Bill No. 1002**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1003**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid

Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Dudycz, **Senate Bill No. 1007**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 Dillard, **Senate Bill No. 1008**, 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:

Berman	Geo-Karis	Maitland	Shaw
Bomke	Halvorson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jacobs	Myers	Smith
Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Madigan, L.	Radogno	Weaver
Dudycz	Madigan, R.	Rauschenberger	Welch
Fawell	Mahar	Rea	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 Dillard, **Senate Bill No. 1010**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Karpiel, **Senate Bill No. 1012**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1013**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.

Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Dudycz, **Senate Bill No. 1014**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 Weaver, **Senate Bill No. 1018**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid

Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Weaver, **Senate Bill No. 1019**, 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 2.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Rea
Bomke	Hendon	Maitland	Shadid
Bowles	Jacobs	Munoz	Shaw
Burzynski	Jones, E.	Myers	Sieben
Clayborne	Jones, W.	Noland	Silverstein
Cronin	Karpiel	Obama	Smith
Cullerton	Klemm	O'Daniel	Sullivan
DeLeo	Lauzen	O'Malley	Syverson
del Valle	Lightford	Parker	Trotter
Dillard	Link	Peterson	Viverito
Donahue	Luechtefeld	Petka	Walsh, L.
Fawell	Madigan, L.	Radogno	Walsh, T.
Geo-Karis	Madigan, R.	Rauschenberger	Watson
			Weaver
			Mr. President

The following voted in the negative:

Demuzio
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 Bomke, **Senate Bill No. 1022**, 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 2.

The following voted in the affirmative:

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

The following voted in the negative:

Lauzen
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.

SENATE BILL RECALLED

On motion of Senator R. Madigan, **Senate Bill No. 1024** was recalled from the order of third reading to the order of second reading.

Senator R. Madigan offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1024 by replacing the title with the following:

"AN ACT to amend the Illinois Insurance Code by changing Sections 143.13 and 143.17 and adding Section 143.11b."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 143.13 and 143.17 and adding Section 143.11b as follows:

(215 ILCS 5/143.11b new)

Sec. 143.11b. Assignment or transfer of property and casualty policy. An assignment or transfer of a policy of insurance to which Section 143.11 applies among insurers within an insurance holding company system or as a result of a merger, acquisition, or company restructuring is not a cancellation or nonrenewal for purposes of the notification requirements in Section 143.12 through 143.24. If the assignment or transfer results in an increase in the premium of 30% or more or in changes in deductibles or coverage that materially alter the policy, the company shall mail to the named insured written notice of the increase or change at least 60 days prior to the anniversary date. An exact and unaltered copy of the notice shall also be sent to the insured's broker, if known, or the agent of record.

(215 ILCS 5/143.13) (from Ch. 73, par. 755.13)

Sec. 143.13. Definition of terms used in Sections 143.11 through 143.24.

(a) "Policy of automobile insurance" means a policy delivered or issued for delivery in this State, insuring a natural person as named insured or one or more related individuals resident of the same household and under which the insured vehicles therein designated are motor vehicles of the private passenger, station wagon, or any other 4-wheeled motor vehicle with a load capacity of 1500 pounds or less which is not used in the occupation, profession or business of the insured or not used as a public or livery conveyance for passengers nor rented to others. Policy of automobile insurance shall also mean a named non-owner's automobile policy.

Policy of automobile insurance does not apply to policies of automobile insurance issued under the Illinois Automobile Insurance Plan, to any policy covering garages, automobile sales agencies, repair shops, service stations or public parking place operation hazards.

(b) "Policy of fire and extended coverage insurance" means a

policy delivered or issued for delivery in this State, that includes but is not limited to, the perils of fire and extended coverage, and covers real property used principally for residential purposes up to and including a 4 family dwelling or any household or personal property that is usual or incidental to the occupancy to any premises used for residential purposes.

(c) "All other policies of personal lines" means any other policy of insurance issued to a natural person for personal or family protection.

(d) "Renewal" or "to renew" means (1) any change to an entire line of business in accordance with subsection b-5 of Section 143.17 and (2) the issuance and delivery by an insurer of a policy superseding at the end of the policy period a policy previously issued and delivered by the same insurer or the issuance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term; however, any successive policies issued by the same insurer to the same insured, for the same or similar coverage,

shall be considered a renewal policy.

Any policy with a policy period or term of less than 6 months or any policy with no fixed expiration date shall be considered as if written for successive policy periods or terms of 6 months for the purpose of "renewal" or "to renew" as defined in this paragraph (d) and for the purpose of any non-renewal notice required by Section 143.17 of this Code.

(e) "Nonpayment of premium" means failure of the named insured to discharge, when due, any of his obligations in connection with the payment of premiums or any installment of such premium that is payable directly to the insurer or to its agent. Premium shall mean the premium that is due for an individual policy which shall not include any membership dues or other consideration required to be a member of any organization in order to be eligible for such policy.

(f) "A policy delivered or issued for delivery in this State" shall include but not be limited to all binders of insurance, whether written or oral, and all applications bound for future delivery by a duly licensed resident agent. A written binder of insurance issued for a term of 60 days or less, which contains on its face a specific inception and expiration date and which a copy has been furnished to the insured, shall not be subject to the non-renewal requirements of Section 143.17 of this Code.

(g) "Cancellation" or "cancelled" means the termination of a policy by an insurer prior to the expiration date of the policy. A policy of automobile or fire and extended coverage insurance which expires by its own terms on the policy expiration date unless advance premiums are received by the insurer for succeeding policy periods shall not be considered "cancelled" or a "cancellation" effected by the insurer in the event such premiums are not paid on or before the policy expiration date.

(h) "Commercial excess and umbrella liability policy" means a policy written over one or more underlying policies for an insured:

(1) that has at least 25 full-time employees at the time the commercial excess and umbrella liability policy is written and procures the insurance of any risk or risks, other than life, accident and health, and annuity contracts, as described in clauses (a) and (b) of Class 1 of Section 4 and clause (a) of Class 2 of Section 4, by use of the services of a full-time employee acting as an insurance manager or buyer; or

(2) whose aggregate annual premiums for all property and casualty insurance on all risks is at least $50,000.

(Source: P.A. 86-437; 87-1020.)

(215 ILCS 5/143.17) (from Ch. 73, par. 755.17)

Sec. 143.17. Notice of intention not to renew.

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a. No company shall fail to renew any policy of insurance, as defined in subsections (a), (b), (c), and (h) of Section 143.13, to which Section 143.11 applies, unless it shall send by mail to the named insured at least 30 days advance notice of its intention not to renew. The company shall maintain proof of mailing of such notice on a recognized U.S. Post Office form or a form acceptable to the U. S. Post Office or other commercial mail delivery service. An exact and unaltered copy of such notice shall also be sent to the insured's

broker, if known, or the agent of record and to the mortgagee or lien holder at the last mailing address known by the company. However, where cancellation is for nonpayment of premium, the notice of cancellation must be mailed at least 10 days before the effective date of the cancellation.

b. This Section does not apply if the company has manifested its willingness to renew directly to the named insured. Such written notice shall specify the premium amount payable, including any premium payment plan available, and the name of any person or persons, if any, authorized to receive payment on behalf of the company. If no person is so authorized, the premium notice shall so state. The notice of nonrenewal and the proof of mailing shall be effected on the same date.

b-5. This Section does not apply if the company manifested its willingness to renew directly to the named insured. However, no company may impose changes in deductibles or coverage for any policy forms applicable to an entire line of business enumerated in subsections (a), (b), (c), and (h) of Section 143.13 to which Section 143.11 applies unless the company mails to the named insured written notice of the change in deductible or coverage at least 60 days prior to the renewal or anniversary date. An exact and unaltered copy of the notice shall also be sent to the insured's broker, if known, or the agent of record.

c. Should a company fail to comply with (a) or (b) of this Section, the policy shall terminate only on the effective date of any similar insurance procured by the insured with respect to the same subject or location designated in both policies.

d. Renewal of a policy does not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal.

e. In all notices of intention not to renew any policy of insurance, as defined in Section 143.11 the company shall provide a specific explanation of the reasons for nonrenewal.

(Source: P.A. 89-669, eff. 1-1-97.)".

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 Philip, **Senate Bill No. 1028**, 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 58; Nays None.

The following voted in the affirmative:

Berman Geo-Karis Mahar Rea

Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1029**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Maitland	Shadid
Bomke	Halvorson	Molaro	Shaw
Bowles	Hendon	Munoz	Sieben
Burzynski	Jacobs	Myers	Silverstein
Clayborne	Jones, E.	Noland	Smith
Cronin	Jones, W.	Obama	Sullivan
Cullerton	Karpiel	O'Daniel	Syverson
DeLeo	Klemm	O'Malley	Trotter
del Valle	Lightford	Parker	Viverito
Demuzio	Link	Peterson	Walsh, L.
Dillard	Luechtefeld	Petka	Walsh, T.
Donahue	Madigan, L.	Radogno	Watson
Dudycz	Madigan, R.	Rauschenberger	Weaver
Fawell	Mahar	Rea	Welch
			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. 1030**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1031**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1032**, 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 49; Nays 3; Present 3.

The following voted in the affirmative:

Berman	Jacobs	Munoz	Shadid
Bomke	Jones, E.	Myers	Shaw
Burzynski	Jones, W.	Noland	Sieben
Cronin	Karpiel	Obama	Silverstein
del Valle	Klemm	O'Daniel	Smith
Demuzio	Lightford	O'Malley	Sullivan
Dillard	Link	Parker	Syverson
Donahue	Luechtefeld	Peterson	Trotter
Dudycz	Madigan, L.	Petka	Walsh, L.
Fawell	Madigan, R.	Radogno	Walsh, T.
Geo-Karis	Mahar	Rauschenberger	Watson
Hendon	Maitland	Rea	Weaver
			Mr. President

The following voted in the negative:

DeLeo
Lauzen
Welch

The following voted present:

Bowles
Cullerton
Viverito

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 Karpiel, **Senate Bill No. 1036**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea

Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 DeLeo, **Senate Bill No. 1044**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Obama, **Senate Bill No. 1055**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Maitland, **Senate Bill No. 1066**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Obama	Sullivan
Cullerton	Karpiel	O'Daniel	Syverson
DeLeo	Klemm	O'Malley	Trotter
del Valle	Lauzen	Parker	Viverito
Demuzio	Lightford	Peterson	Walsh, L.
Dillard	Link	Petka	Walsh, T.
Donahue	Luechtefeld	Radogno	Watson

Dudycz	Madigan, L.	Rauschenberger	Weaver
Fawell	Madigan, R.	Rea	Welch
			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 R. Madigan, **Senate Bill No. 1068**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 Sieben, **Senate Bill No. 1070**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben

Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Sullivan, **Senate Bill No. 1071**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1072**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Geo-Karis, **Senate Bill No. 1073**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Sieben, **Senate Bill No. 1074**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Geo-Karis, **Senate Bill No. 1076**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito

Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Syverson, **Senate Bill No. 1077**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Mahar, **Senate Bill No. 1078**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Petka	Walsh, T.
Donahue	Luechtefeld	Radogno	Watson
Dudycz	Madigan, L.	Rauschenberger	Weaver
Fawell	Madigan, R.	Rea	Welch
			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. 1079**, 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:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Sullivan
Cronin	Jones, W.	Noland	Syverson
Cullerton	Karpiel	Obama	Trotter
DeLeo	Klemm	O'Daniel	Viverito
del Valle	Lauzen	O'Malley	Walsh, L.
Demuzio	Lightford	Parker	Walsh, T.
Dillard	Link	Peterson	Watson
Donahue	Luechtefeld	Petka	Weaver
Dudycz	Madigan, L.	Radogno	Welch
Fawell	Madigan, R.	Rauschenberger	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 Maitland, **Senate Bill No. 1080**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 Peterson, **Senate Bill No. 1082** was recalled from the order of third reading to the order of second reading.

Senator Peterson offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 1082 on page 1, line 11, after "either", by inserting "(i)"; and
on page 1, line 12, after "or", by inserting "(ii)"; and
on page 1, line 13, by replacing "State or" with "State, or (iii)"; and
on page 2, line 29, after "who", by inserting "(i)"; and
on page 2, line 30, after "or", by inserting "(ii)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 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 Philip, **Senate Bill No. 1084**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1085**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito

Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Klemm, **Senate Bill No. 1086**, 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; Present 2.

The following voted in the affirmative:

Berman	Halvorson	Molaro	Sieben
Bomke	Hendon	Munoz	Silverstein
Bowles	Jacobs	Myers	Smith
Burzynski	Jones, E.	Noland	Sullivan
Clayborne	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Link	Peterson	Walsh, T.
Dillard	Luechtefeld	Petka	Watson
Donahue	Madigan, L.	Radogno	Weaver
Dudycz	Madigan, R.	Rauschenberger	Welch
Fawell	Mahar	Rea	Mr. President
Geo-Karis	Maitland	Shadid	

The following voted present:

Lightford
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 Sullivan, **Senate Bill No. 1088**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein
Clayborne	Jones, W.	Noland	Smith
Cronin	Karpiel	Obama	Sullivan
Cullerton	Klemm	O'Daniel	Syverson
DeLeo	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Welch
			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. 1089**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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. 1090**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1091**, 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 58; Nays None.

The following voted in the affirmative:

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

Welch
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. 1092**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1093**, 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 1.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein

Clayborne	Jones, W.	Noland	Smith
Cronin	Karpiel	Obama	Sullivan
Cullerton	Klemm	O'Daniel	Syverson
DeLeo	Lauzen	O'Malley	Trotter
del Valle	Lightford	Parker	Viverito
Demuzio	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Mr. President

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1094**, 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 57; Nays 1.

The following voted in the affirmative:

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

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1095**, 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 1.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein
Clayborne	Jones, W.	Noland	Smith
Cronin	Karpiel	Obama	Sullivan
Cullerton	Klemm	O'Daniel	Syverson
DeLeo	Lauzen	O'Malley	Trotter
del Valle	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver

Geo-Karis	Mahar	Rea	Mr. President

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1096**, 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 57; Nays 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter

Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Mr. President

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1097**, 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 57; Nays 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan

DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Mr. President

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1098**, 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 57; Nays 1.

The following voted in the affirmative:

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

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1099**, 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 57; Nays 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.

Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Mr. President

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1100**, 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 1.

The following voted in the affirmative:

Berman	Hendon	Molaro	Shaw
Bomke	Jacobs	Munoz	Sieben
Bowles	Jones, E.	Myers	Silverstein
Burzynski	Jones, W.	Noland	Smith
Clayborne	Karpiel	Obama	Sullivan
Cronin	Klemm	O'Daniel	Syverson
Cullerton	Lauzen	O'Malley	Trotter
DeLeo	Lightford	Parker	Viverito
del Valle	Link	Peterson	Walsh, L.
Demuzio	Luechtefeld	Petka	Walsh, T.
Donahue	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Mr. President
Halvorson	Maitland	Shadid	

The following voted in the negative:

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 Rauschenberger, **Senate Bill No. 1101**, 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 1; Present 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Mr. President

The following voted in the negative:

Welch

The following voted present:

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 Rauschenberger, **Senate Bill No. 1102**, 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 1.

The following voted in the affirmative:

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

The following voted in the negative:

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. 1103**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1105**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith

Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1107**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	O'Daniel	Syverson
DeLeo	Klemm	O'Malley	Trotter
del Valle	Lauzen	Parker	Viverito
Demuzio	Lightford	Peterson	Walsh, L.
Dillard	Link	Petka	Walsh, T.
Donahue	Luechtefeld	Radogno	Watson
Dudycz	Madigan, L.	Rauschenberger	Weaver
Fawell	Madigan, R.	Rea	Welch
			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 Karpiel, **Senate Bill No. 1109**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			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 T. Walsh, **Senate Bill No. 1115**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			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 Syverson, **Senate Bill No. 1117**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Welch
			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 Peterson, **Senate Bill No. 1118**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein
Clayborne	Jones, W.	Noland	Smith
Cronin	Karpiel	Obama	Sullivan
Cullerton	Klemm	O'Daniel	Syverson
DeLeo	Lauzen	O'Malley	Trotter
del Valle	Lightford	Parker	Viverito
Demuzio	Link	Peterson	Walsh, L.
Dillard	Luechtefeld	Petka	Walsh, T.
Donahue	Madigan, L.	Radogno	Watson

Dudycz	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Welch
			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 L. Madigan, **Senate Bill No. 1125**, 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:

Berman	Halvorson	Molaro	Shaw
Bomke	Hendon	Munoz	Sieben
Bowles	Jacobs	Myers	Silverstein
Burzynski	Jones, E.	Noland	Smith
Clayborne	Jones, W.	Obama	Sullivan
Cronin	Karpiel	O'Daniel	Syverson
Cullerton	Klemm	O'Malley	Trotter
DeLeo	Lauzen	Parker	Viverito
del Valle	Lightford	Peterson	Walsh, L.
Demuzio	Link	Petka	Walsh, T.
Dillard	Luechtefeld	Radogno	Watson
Dudycz	Madigan, L.	Rauschenberger	Weaver
Fawell	Madigan, R.	Rea	Welch
Geo-Karis	Mahar	Shadid	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 Parker, **Senate Bill No. 1128**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein

Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Klemm, **Senate Bill No. 1129** was recalled from the order of third reading to the order of second reading.

Senator Klemm offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1129 on page 1, by replacing lines 6 and 7 with the following:
"changing Section 6-206.1 and adding Section 6-206.2 as follows:"; and
by deleting lines 14 through 30 on page 1, all of pages 2 through 5, lines 1 through 5 on page 6, lines 11 through 33 on page 12, all of pages 13 through 21, and lines 1 through 28 on page 22.

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.

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. 4 to Senate Bill 11
Senate Amendment No. 2 to Senate Bill 223
Senate Amendment No. 2 to Senate Bill 272
Senate Amendment No. 1 to Senate Bill 367

Senate Amendment No. 1 to Senate Bill 368
Senate Amendment No. 2 to Senate Bill 435
Senate Amendment No. 2 to Senate Bill 468
Senate Amendment No. 2 to Senate Bill 527
Senate Amendment No. 2 to Senate Bill 529
Senate Amendment No. 1 to Senate Bill 574
Senate Amendment No. 2 to Senate Bill 646
Senate Amendment No. 2 to Senate Bill 648
Senate Amendment No. 2 to Senate Bill 823
Senate Amendment No. 1 to Senate Bill 1183

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Fawell, **Senate Bill No. 1130**, 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 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Watson
Donahue	Luechtefeld	Petka	Weaver
Dudycz	Madigan, L.	Radogno	Welch
Fawell	Madigan, R.	Rea	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 Link, **Senate Bill No. 1132**, 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; Present 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Trotter
DeLeo	Klemm	O'Daniel	Viverito
del Valle	Lauzen	O'Malley	Walsh, L.
Demuzio	Lightford	Parker	Walsh, T.
Dillard	Link	Peterson	Watson
Donahue	Luechtefeld	Radogno	Weaver
Dudycz	Madigan, L.	Rauschenberger	Welch
Fawell	Madigan, R.	Rea	Mr. President

The following voted present:

Petka

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. 1133**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Molaro, **Senate Bill No. 1136**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rea	Welch
			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 Rauschenberger, **Senate Bill No. 1141** was recalled from the order of third reading to the order of second reading.

Senator Rauschenberger offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 1141, AS AMENDED, with reference to page and line numbers of Senate amendment 2, on page 9, line 26 by inserting "has" immediately before the word "been".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 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 L. Walsh, **Senate Bill No. 1142**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith

Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 L. Walsh, **Senate Bill No. 1143**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Malley	Trotter
del Valle	Lauzen	Parker	Viverito
Demuzio	Lightford	Peterson	Walsh, L.
Dillard	Link	Petka	Walsh, T.
Donahue	Luechtefeld	Radogno	Watson

Dudycz	Madigan, L.	Rauschenberger	Weaver
Fawell	Madigan, R.	Rea	Welch
			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 Viverito, **Senate Bill No. 1150**, 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:

Berman	Halvorson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson

del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
Geo-Karis	Mahar	Rea	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. 1153**, 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; Present 3.

The following voted in the affirmative:

Berman	Hendon	Mahar	Shadid
Bomke	Jacobs	Maitland	Shaw
Burzynski	Jones, E.	Molaro	Sieben
Cronin	Jones, W.	Munoz	Silverstein
Cullerton	Karpiel	Myers	Smith

DeLeo	Klemm	Noland	Sullivan
del Valle	Lauzen	Obama	Viverito
Dillard	Lightford	O'Daniel	Walsh, T.
Donahue	Link	O'Malley	Watson
Dudycz	Luechtefeld	Parker	Weaver
Fawell	Madigan, L.	Petka	Welch
Geo-Karis	Madigan, R.	Radogno	Mr. President

The following voted in the negative:

Rea
Walsh, L.

The following voted present:

Bowles
Demuzio
Peterson

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.

Senator L. Walsh asked and obtained unanimous consent for the Journal to reflect that he inadvertently voted "No" instead of "Yes" on the passage of **Senate Bill No. 1153**.

On motion of Senator Lauzen, **Senate Bill No. 1155**, 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 57; Nays 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Malley	Trotter
del Valle	Lauzen	Parker	Viverito
Demuzio	Lightford	Peterson	Walsh, L.
Dillard	Link	Petka	Walsh, T.
Donahue	Luechtefeld	Radogno	Watson
Dudycz	Madigan, L.	Rauschenberger	Weaver
Fawell	Madigan, R.	Rea	Welch
			Mr. President

The following voted in the negative:

O'Daniel

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 Berman, **Senate Bill No. 1168**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 Berman, **Senate Bill No. 1170**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben

Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Berman, **Senate Bill No. 1171** was recalled from the order of third reading to the order of second reading.

Senator Berman offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 1171 on page 11, by replacing lines 13 and 14 with "A person objecting to the proposed actions of"; and

on page 12, by replacing lines 4 and 5 with "this subsection, any person has sought a hearing under this".

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 Lightford, **Senate Bill No. 1174**, 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 3.

The following voted in the affirmative:

Berman	Geo-Karis	Maitland	Shadid
Bomke	Halvorson	Molaro	Shaw

Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein
Clayborne	Jones, W.	Noland	Smith
Cronin	Karpiel	Obama	Sullivan
Cullerton	Klemm	O'Daniel	Syverson
DeLeo	Lauzen	O'Malley	Trotter
del Valle	Lightford	Parker	Walsh, L.
Demuzio	Link	Peterson	Walsh, T.
Dillard	Luechtefeld	Petka	Watson
Donahue	Madigan, L.	Radogno	Welch
Dudycz	Madigan, R.	Rauschenberger	Mr. President
Fawell	Mahar	Rea	

The following voted in the negative:

Hendon
Viverito
Weaver

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.

Senator Viverito asked and obtained unanimous consent for the Journal to reflect that he inadvertently voted "No" instead of "Yes" on the passage of **Senate Bill No. 1174**.

On motion of Senator Myers, **Senate Bill No. 1189**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Klemm, **Senate Bill No. 1198**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Parker, **Senate Bill No. 1201**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.

Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Myers, **Senate Bill No. 1202**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Weaver, **Senate Bill No. 1203**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Maitland	Shadid
Bomke	Halvorson	Molaro	Shaw

Bowles	Hendon	Munoz	Sieben
Burzynski	Jacobs	Myers	Silverstein
Clayborne	Jones, W.	Noland	Smith
Cronin	Karpiel	Obama	Sullivan
Cullerton	Klemm	O'Daniel	Syverson
DeLeo	Lauzen	O'Malley	Trotter
del Valle	Lightford	Parker	Viverito
Demuzio	Link	Peterson	Walsh, L.
Dillard	Luechtefeld	Petka	Walsh, T.
Donahue	Madigan, L.	Radogno	Watson
Dudycz	Madigan, R.	Rauschenberger	Weaver
Fawell	Mahar	Rea	Welch
			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 Weaver, **Senate Bill No. 1204**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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. 1227**, 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:

Berman	Halvorson	Molaro	Sieben
Bomke	Hendon	Munoz	Silverstein
Bowles	Jacobs	Myers	Smith
Burzynski	Jones, W.	Noland	Sullivan
Clayborne	Karpiel	Obama	Syverson
Cronin	Klemm	O'Daniel	Trotter
Cullerton	Lauzen	O'Malley	Viverito
DeLeo	Lightford	Parker	Walsh, L.
del Valle	Link	Peterson	Walsh, T.
Demuzio	Luechtefeld	Radogno	Watson
Dillard	Madigan, L.	Rauschenberger	Weaver
Dudycz	Madigan, R.	Rea	Welch
Fawell	Mahar	Shadid	Mr. President
Geo-Karis	Maitland	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.

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. 1 to Senate Bill 20
Senate Amendment No. 2 to Senate Bill 445
Senate Amendment No. 2 to Senate Bill 734
Senate Amendment No. 2 to Senate Bill 736
Senate Amendment No. 2 to Senate Bill 818
Senate Amendment No. 1 to Senate Bill 824
Senate Amendment No. 3 to Senate Bill 1042
Senate Amendment No. 1 to Senate Bill 1061
Senate Amendment No. 1 to Senate Bill 1184

COMMITTEE MEETING ANNOUNCEMENT

Senator Rauschenberger, Chairperson of the Committee on Appropriations announced that the Appropriations Committee will meet today, immediately after adjournment.

Senator Smith asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Karpiel asked and obtained unanimous consent to recess

for the purpose of a Republican caucus.

At the hour of 12:56 o'clock p.m., the Chair announced that the Senate stand at recess until 1:30 o'clock p.m.

AFTER RECESS

At the hour of 1:45 o'clock p.m., the Senate resumed consideration of business.

Senator Dudycz, presiding.

PRESENTATION OF RESOLUTIONS

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

SENATE RESOLUTION NO. 70

WHEREAS, The Balanced Budget Act of 1997 established a new reimbursement system for Medicare home health services effective for cost reporting periods beginning on or after October 1, 1997 which has threatened to ruin the home health benefit; and

WHEREAS, The Balanced Budget Act of 1997 created an interim payment system which is cost-based with reduced limits and is in effect until a prospective payment system is initiated with cost reporting periods beginning on or after October 1, 2000; and

WHEREAS, While the 105th Congress made strides to rectify the interim payment system, the real effect of the Omnibus Reconciliation Act of 1998 was to raise the per-visit reimbursement for home health between only $0.50 and $1.00 and the per-beneficiary limits by less than 5% for the majority of home health agencies; and

WHEREAS, If the home health program, which is only 9% of the overall Medicare budget, is slashed, other programs will bear the burden, and in many cases Medicare patients will be transferred to

the Medicaid program; and

WHEREAS, If these patients are not served by home health, they will drive up health care costs in other arenas, including nursing homes, hospitals, and emergency care; and

WHEREAS, One out of every 10 Medicare beneficiaries received some form of home health care in 1996; and

WHEREAS, On average, a home care visit in 1996 cost between $40 and $140, while the cost of staying in a hospital per day is $2,071, and a skilled nursing facility, $443; and

WHEREAS, The average home health agency has seen a 39% reduction in Medicare revenue since the implementation of the interim payment system; and

WHEREAS, Fifty-eight, or 15%, of Illinois home health agencies have closed in the past year; and

WHEREAS, Rural home health agencies report revenues at least one-third lower than this same period last year; and

WHEREAS, Three-fourths of Illinois Home Care Council freestanding

agency members (those not affiliated with a hospital or network) estimate that, unless something changes with the interim payment system, they will be closed within 6 months to a year; and

WHEREAS, The interim payment system is based on average costs, which creates strong incentives to avoid caring for patients with complex or long-term medical problems, forcing many Illinois home health agencies to choose between staying in business and serving highly complex, high visit volume patients; and

WHEREAS, Three prominent public policy research organizations, George Washington University, the Commonwealth Fund, and the Lewin Group, independently concluded that the home health provisions of the Balanced Budget Act of 1997 are causing a crisis in the Medicare home health benefit by: (i) eliminating access to medically necessary home health services for the sickest, most frail Medicare beneficiaries; (ii) rewarding higher cost and penalizing lower cost home health agencies by establishing radically different payment limits that do not reflect current patient mix or efficiency; and (iii) eliminating access to Medicare home health in rural areas; and

WHEREAS, The prospective payment system is a system by which home health agencies are paid according to types and numbers of patients actually served which assures a predictable reimbursement rate and schedule, beneficial to both the federal government and home health agencies; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Congress to hold the Health Care Financing Authority accountable for the timely implementation of a fair prospective payment system; and be it further

RESOLVED, That we urge the federal government to rectify some of the damage wrought by the interim payment system by raising the per-beneficiary and per-visit limits, so that agencies can keep serving patients until the prospective payment system is implemented; and be it further

RESOLVED, That we urge the federal government to eliminate the additional 15% cut in reimbursements scheduled for October 2000; and be it further

RESOLVED, That we urge Congress to require a representative of the federal government to meet with an Illinois Home Care Council member to discuss the questions and concerns raised by this Resolution; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and of the other members of the Illinois congressional delegation.

Senator Philip offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 27
CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at

least 6 months after the adoption of this resolution a proposition to amend Sections 2 and 3 of Article VI of the Illinois Constitution as follows:

ARTICLE VI

THE JUDICIARY

(ILCON Art. VI, Sec. 2)

SECTION 2. JUDICIAL DISTRICTS

The State is divided into five Judicial Districts for the selection of Supreme and Appellate Court Judges. The First Judicial District consists of Cook County. The First Judicial District shall be divided into three sub-districts solely for the purpose of the election of Supreme Court Judges. The remainder of the State shall be divided by law into four Judicial Districts of substantially equal population, each of which shall be compact and composed of contiguous counties.

(Source: Illinois Constitution.)

(ILCON Art. VI, Sec. 3)

SECTION 3. SUPREME COURT - ORGANIZATION

The Supreme Court shall consist of seven Judges. One Judge ~~Three~~ shall be selected from each of the sub-districts in the First Judicial District and one from each of the other Judicial Districts. Four Judges constitute a quorum and the concurrence of four is necessary for a decision. Supreme Court Judges shall select a Chief Justice from their number to serve for a term of three years.

(Source: Illinois Constitution.)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act.

Senators Dillard - Philip offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

SENATE JOINT RESOLUTION NO. 28

WHEREAS, The government of the State of Illinois is concerned with the safety of all citizens within the State; and

WHEREAS, The State is responsible for the security of public buildings located in both Springfield and Chicago; and

WHEREAS, Recent incidences, both nationally and in Illinois, have led to questions about the security protections in place in public buildings; and

WHEREAS, The security measures of our State should be periodically reviewed to take advantage of the new technological advancements available to the law enforcement community; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, That there be created the State Government Building Safety Commission; and be it further

RESOLVED, That the Commission shall consist of 11 members: 2 members of the Senate appointed by the President of the Senate, one member of the Senate appointed by the Minority Leader of the Senate,

2 members of the House of Representatives appointed by the Speaker of the House, one member of the House of Representatives appointed by the Minority Leader of the House, the Director of the Secretary of State Police or his or her designee, ex-officio, the Chief of Security for the Capitol complex, ex-officio, the Director of Central Management Services or his or her designee, ex-officio, the Director of the State Police or his or her designee, ex officio, and the Superintendent of the City of Chicago Police Department or his or her designee, ex-officio; and be it further

RESOLVED, That the President of the Senate and the Speaker of the House shall each choose one member from among their appointments to serve as a co-chairperson for the Commission; and be it further

RESOLVED, That the Commission shall meet initially at the call of the chairpersons; and be it further

RESOLVED, That the Commission may hold hearings in closed session, and shall receive the assistance of those agencies it deems appropriate; and be it further

RESOLVED, That the Commission shall also consult appropriate federal government agencies, if necessary, for its report; and be it further

RESOLVED, That the Commission shall survey security procedures of the 50 states at each state capitol building and other primary office buildings of each state government, including the staffing and training of full-time security personnel employed in those buildings, and the use of metal detectors, video cameras, and other screening devices; and be it further

RESOLVED, That the Commission shall make recommendations for implementation of increased security procedures, if necessary, for the following buildings: the Capitol Building, the Stratton Building, and the Michael J. Howlett Building in Springfield, the James R. Thompson Center and the State of Illinois Building in Chicago, Illinois; and be it further

RESOLVED, That the members of the Commission shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated by the General Assembly for that purpose; and be it further

RESOLVED, That the Commission shall report its findings to the Governor and the General Assembly on or before December 30, 1999; and be it further

RESOLVED, That the report may be kept confidential at the discretion of the Commission, except that the report shall be disclosed to the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House, the Secretary of State, and the Governor.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 60, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 317, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 417, sponsored by Senator DeLeo was taken up, read

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

House Bill No. 423, sponsored by Senator Radogno was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 476, sponsored by Senator Smith was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 498, sponsored by Senator Dillard was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 512, sponsored by Senator Sieben was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 553, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 619, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 631, sponsored by Senator Cullerton was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 779, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 792, sponsored by Senator Noland was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 807, sponsored by Senator Bomke was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 811, sponsored by Senators Cronin - Berman - Bowles was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 909, sponsored by Senator Sullivan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 939, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 940, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 943, sponsored by Senator DeLeo was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 979, sponsored by Senator Demuzio was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1154, sponsored by Senator W. Jones was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1163, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1280, sponsored by Senator Karpiel was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1307, sponsored by Senator Smith was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1310, sponsored by Senator Radogno was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1355, sponsored by Senator R. Madigan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1414, sponsored by Senator Dillard was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1742, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1510, sponsored by Senators Luechtefeld - Donahue was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1809, sponsored by Senator Jacobs was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1837, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1839, sponsored by Senator Smith was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1863, sponsored by Senator Luechtefeld was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1864, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1881, sponsored by Senator Peterson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1926, sponsored by Senator Sullivan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1953, sponsored by Senator Weaver was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1968, sponsored by Senator Luechtefeld was taken

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

House Bill No. 2008, sponsored by Senator Cronin was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2146, sponsored by Senator Smith was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2163, sponsored by Senator Dudycz was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2261, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2263, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2264, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2345, sponsored by Senator Sullivan was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2494, sponsored by Senator T. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2574, sponsored by Senator Syverson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2636, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2733, sponsored by Senator Weaver was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2773, sponsored by Senator Syverson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2775, sponsored by Senator Bomke was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2792, sponsored by Senator Myers was taken up, read by title a first time and referred to the Committee on Rules.

SENATE BILL RECALLED

On motion of Senator O'malley, **Senate Bill No. 7** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 3 was held in the Committee on Rules.

Senator E. Jones offered the following amendment and moved its adoption:

AMENDMENT NO. 4

AMENDMENT NO. 4. Amend Senate Bill 7 on page 1, by inserting between lines 22 and 23 the following:

"(c) It is unlawful for a child sex offender to knowingly operate, manage, be employed by, volunteer at, be associated with, or knowingly be present at any facility providing programs or services exclusively directed towards persons under the age of 18. This does not prohibit a child sex offender from owning the real property upon which the programs or services are offered, provided the child sex offender refrains from being present on the premises for the hours during which the programs or services are being offered."; and

on page 1, line 23, by replacing "(c)" with "(d)"; and

on page 1, line 28, by replacing "(c)" with "(d)"; and

on page 4, line 20, by replacing "subsection (c) of this Section" with "this subsection (d)"; and

on page 4, lines 22 and 23 by replacing "subsection (c) of this Section" with "this subsection (d)"; and

on page 4, by inserting between lines 32 and 33 the following:

"(5) "Facility providing programs or services directed towards persons under the age of 18" means any facility providing programs or services exclusively directed towards persons under the the age of 18."; and

on page 4, line 33, by replacing "(5)" with "(6)"; and

on page 5, line 7, by replacing "(d)" with "(e)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4

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 Mahar, **Senate Bill No. 23**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein
Clayborne	Jones, W.	Noland	Smith
Cronin	Karpiel	Obama	Sullivan
Cullerton	Klemm	O'Daniel	Syverson
DeLeo	Lauzen	O'Malley	Trotter
del Valle	Lightford	Parker	Viverito

Demuzio	Link	Peterson	Walsh, L.
Dillard	Luechtefeld	Petka	Walsh, T.
Donahue	Madigan, L.	Radogno	Watson
Dudycz	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Welch
			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 Mahar, **Senate Bill No. 24**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 Jacobs, **Senate Bill No. 25**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid

Bomke	Halvorson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Myers	Smith
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Radogno	Watson
Dudycz	Madigan, L.	Rauschenberger	Weaver
Fawell	Madigan, R.	Rea	Welch
			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 Sieben, **Senate Bill No. 31**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Sullivan
Cullerton	Karpiel	Obama	Syverson
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
			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 Karpiel, **Senate Bill No. 38**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Sieben, **Senate Bill No. 68**, 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 4.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hawkinson	Molaro	Shaw
Bowles	Hendon	Munoz	Sieben
Burzynski	Jacobs	Myers	Silverstein
Clayborne	Jones, E.	Noland	Sullivan
Cullerton	Jones, W.	Obama	Trotter
DeLeo	Karpiel	O'Daniel	Viverito
del Valle	Lightford	O'Malley	Walsh, L.
Dillard	Link	Parker	Walsh, T.
Donahue	Luechtefeld	Peterson	Watson
Dudycz	Madigan, L.	Petka	Weaver
Fawell	Madigan, R.	Radogno	Mr. President
Geo-Karis	Mahar	Rea	

The following voted in the negative:

Cronin
Demuzio
Rauschenberger
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 Radogno, **Senate Bill No. 70**, 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 57; Nays 2.

The following voted in the affirmative:

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

The following voted in the negative:

Burzynski
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 del Valle, **Senate Bill No. 80**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Rea
Bomke	Hawkinson	Maitland	Shadid

Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Cronin	Jones, E.	Myers	Silverstein
Cullerton	Jones, W.	Noland	Smith
DeLeo	Karpiel	Obama	Sullivan

del Valle	Klemm	O'Daniel	Syverson
Demuzio	Lauzen	O'Malley	Trotter
Dillard	Lightford	Parker	Viverito
Donahue	Link	Peterson	Walsh, L.
Dudycz	Luechtefeld	Petka	Walsh, T.
Fawell	Madigan, L.	Radogno	Watson
Geo-Karis	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Geo-Karis, **Senate Bill No. 84**, 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 57; Nays None.

The following voted in the affirmative:

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

Senator W. Jones asked and obtained unanimous consent for the

Journal to reflect his affirmative vote on the passage of **Senate Bill No. 84**.

On motion of Senator Klemm, **Senate Bill No. 85**, 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 57; Nays None.

The following voted in the affirmative:

Bomke	Halvorson	Maitland	Shadid
Bowles	Hawkinson	Molaro	Shaw
Burzynski	Hendon	Munoz	Sieben

Clayborne	Jacobs	Myers	Silverstein
Cronin	Jones, E.	Noland	Smith
Cullerton	Jones, W.	Obama	Sullivan
DeLeo	Karpiel	O'Daniel	Syverson
del Valle	Klemm	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Welch
			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. 105**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Rea
Bomke	Hawkinson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cullerton	Jones, W.	Noland	Smith
DeLeo	Karpiel	Obama	Sullivan
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.

Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
Geo-Karis	Madigan, R.	Rauschenberger	Welch
			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 Munoz, **Senate Bill No. 109** was recalled from the order of third reading to the order of second reading.

Senator Munoz offered the following amendment:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 109, on page 9, line 1, delete "may" and replace with "shall".

Senator Munoz moved that the foregoing amendment be ordered to

lie on the table.

The motion to table prevailed.

Floor Amendment No. 2 was held in the Committee on Rules.

Senator Munoz offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 109 on page 6, by deleting lines 4 through 33; and
by deleting all of pages 7, 8, and 9; and
on page 10, by deleting lines 1 through 29.

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 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 Clayborne, **Senate Bill No. 111**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Obama	Sullivan
DeLeo	Karpiel	O'Daniel	Syverson
del Valle	Klemm	O'Malley	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
			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 Burzynski, **Senate Bill No. 124**, 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 3.

The following voted in the affirmative:

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

The following voted in the negative:

Lauzen
Rauschenberger
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 Burzynski, **Senate Bill No. 125**, 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:

Berman	Halvorson	Maitland	Shadid
Bomke	Hawkinson	Molaro	Shaw
Bowles	Hendon	Munoz	Sieben
Burzynski	Jacobs	Myers	Silverstein
Clayborne	Jones, E.	Noland	Smith
Cullerton	Jones, W.	Obama	Sullivan
DeLeo	Karpiel	O'Daniel	Trotter
del Valle	Klemm	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rauschenberger	Welch
Geo-Karis	Mahar	Rea	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 TABLED

Senator Fawell moved that **Senate Bill No. 164,** on the order of third reading, be ordered to lie on the table.

The motion to table prevailed.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Klemm, **Senate Bill No. 175**, 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 3; Present 1.

The following voted in the affirmative:

Berman	Halvorson	Molaro	Shaw

Bomke	Hawkinson	Munoz	Sieben
Bowles	Hendon	Myers	Silverstein
Burzynski	Jacobs	Noland	Smith
Cronin	Jones, E.	Obama	Sullivan
Cullerton	Jones, W.	O'Daniel	Syverson
DeLeo	Karpiel	O'Malley	Trotter
del Valle	Klemm	Parker	Viverito
Demuzio	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rea	Weaver
Geo-Karis	Mahar	Shadid	Welch
			Mr. President

The following voted in the negative:

Lauzen
Maitland
Rauschenberger

The following voted present:

Dillard

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 Mahar, **Senate Bill No. 177**, 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 37; Nays 14; Present 4.

The following voted in the affirmative:

Berman	Dudycz	Madigan, L.	Rauschenberger
Bowles	Fawell	Mahar	Shadid
Clayborne	Hawkinson	Molaro	Silverstein
Cronin	Hendon	Munoz	Smith
Cullerton	Jacobs	Obama	Sullivan
DeLeo	Karpiel	O'Malley	Syverson
del Valle	Lauzen	Parker	Trotter
Dillard	Lightford	Peterson	Viverito
Donahue	Link	Radogno	Walsh, T.

			Welch

The following voted in the negative:

Bomke	Luechtefeld	Myers	Petka

Burzynski	Madigan, R.	Noland	Rea
Jones, W.	Maitland	O'Daniel	Watson
			Weaver
			Mr. President

The following voted present:

Demuzio
Geo-Karis
Halvorson
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 Smith, **Senate Bill No. 180**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
			Welch
			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 Luechtefeld, **Senate Bill No. 211**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
			Welch
			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 Syverson, **Senate Bill No. 217**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Shadid
Bomke	Hawkinson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Burzynski	Jacobs	Myers	Silverstein
Clayborne	Jones, E.	Noland	Smith
Cronin	Jones, W.	Obama	Sullivan
DeLeo	Karpiel	O'Daniel	Syverson
del Valle	Klemm	O'Malley	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
Geo-Karis	Madigan, R.	Rea	Welch
			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 L. Walsh, **Senate Bill No. 224**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rauschenberger
Bomke	Halvorson	Mahar	Rea
Bowles	Hawkinson	Maitland	Shadid
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Viverito
Demuzio	Lauzen	O'Malley	Walsh, L.
Dillard	Lightford	Parker	Walsh, T.
Donahue	Link	Peterson	Watson
Dudycz	Luechtefeld	Petka	Weaver
Fawell	Madigan, L.	Radogno	Welch
			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. 234**, 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 58; Nays None.

The following voted in the affirmative:

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

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 Burzynski, **Senate Bill No. 238**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hawkinson	Molaro	Shaw
Burzynski	Hendon	Munoz	Sieben
Clayborne	Jacobs	Myers	Silverstein
Cronin	Jones, E.	Noland	Smith
Cullerton	Jones, W.	Obama	Sullivan
DeLeo	Karpiel	O'Daniel	Syverson
del Valle	Klemm	O'Malley	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
			Welch
			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 Jacobs, **Senate Bill No. 284**, 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 10.

The following voted in the affirmative:

Berman	Geo-Karis	Maitland	Sieben
Bowles	Halvorson	Molaro	Silverstein
Clayborne	Hawkinson	Munoz	Smith
Cronin	Jacobs	Obama	Trotter
Cullerton	Jones, E.	O'Daniel	Viverito
DeLeo	Karpiel	O'Malley	Walsh, L.

del Valle	Lightford	Peterson	Walsh, T.
Demuzio	Link	Radogno	Watson
Dillard	Luechtefeld	Rea	Weaver
Dudycz	Madigan, L.	Shadid	Welch
Fawell	Mahar	Shaw	Mr. President

The following voted in the negative:

Bomke	Donahue	Lauzen	Noland
Burzynski	Klemm	Myers	Parker
			Petka
			Sullivan

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 DeLeo, **Senate Bill No. 286** was recalled from the order of third reading to the order of second reading.

Senator DeLeo offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 286 on page 1, by deleting line 31; and
on page 2, by replacing lines 1 through 5 with the following:
"provided, however, in airport authorities having a population of not more than 500,000 the compensation for services of any commissioner shall not exceed $300 ~~$150.00~~ in any one month for services within the corporate limits of such Authority ~~or within a distance of 50 miles from such corporate limits~~, and provided, further, that in airport authorities having a".

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 Cronin, **Senate Bill No. 291**, 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 59; Nays None.

The following voted in the affirmative:

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

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. 321**, 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 58; Nays 1.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Rea
Bomke	Hawkinson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			Mr. President

The following voted in the negative:

Geo-Karis

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 Link, **Senate Bill No. 330**, 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 59; Nays None.

The following voted in the affirmative:

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

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. 331**, 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 2.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hawkinson	Molaro	Shaw
Burzynski	Hendon	Munoz	Sieben
Clayborne	Jacobs	Myers	Silverstein
Cronin	Jones, E.	Noland	Smith
Cullerton	Jones, W.	Obama	Sullivan

DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Welch

The following voted in the negative:

Karpiel
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. 355**, 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 59; Nays None.

The following voted in the affirmative:

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

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. 356**, 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 57; Nays 2.

The following voted in the affirmative:

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

The following voted in the negative:

Demuzio
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 O'Malley, **Senate Bill No. 357**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Link, **Senate Bill No. 373**, 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 57; Nays 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Shadid
Bomke	Halvorson	Maitland	Shaw
Bowles	Hawkinson	Molaro	Sieben
Burzynski	Hendon	Munoz	Silverstein
Clayborne	Jacobs	Myers	Smith
Cronin	Jones, E.	Noland	Sullivan
Cullerton	Jones, W.	Obama	Syverson
DeLeo	Karpiel	O'Daniel	Trotter
del Valle	Klemm	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Donahue	Luechtefeld	Petka	Watson
Dudycz	Madigan, L.	Radogno	Weaver
Fawell	Madigan, R.	Rea	Welch
			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 L. Walsh, **Senate Bill No. 374**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Rea
Bomke	Hawkinson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein

Cullerton	Jones, W.	Noland	Smith
DeLeo	Karpiel	Obama	Sullivan
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
Geo-Karis	Madigan, R.	Rauschenberger	Welch
			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.

REPORT FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its March 23, 1999 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Appropriations: **Senate Amendment No. 1 to Senate Bill 20.**

Commerce and Industry: **Senate Amendment No. 2 to Senate Bill 272; Senate Amendment No. 2 to Senate Bill 812; Senate Amendment No. 1 to Senate Bill 1039.**

Insurance and Pensions: **Senate Amendment No. 1 to Senate Bill 418.**

Judiciary: **Senate Amendment No. 3 to Senate Bill 26; Senate Amendment No. 2 to Senate Bill 223; Senate Amendment No. 1 to Senate Bill 574; Senate Amendment No. 2 to Senate Bill 734; Senate Amendment No. 2 to Senate Bill 729; Senate Amendment No. 3 to Senate Bill 867.**

Public Health and Welfare: **Senate Amendment No. 2 to Senate Bill 646; Senate Amendment No. 1 to Senate Bill 881; Senate Amendment No. 1 to Senate Bill 1111.**

Revenue: **Senate Amendment No. 4 to Senate Bill 11; Senate Amendments numbered 1 and 2 to Senate Bill 468; Senate Amendment No. 1 to Senate Bill 666.**

State Government Operations: **Senate Amendment No. 2 to Senate Bill 1158.**

Transportation: **Senate Amendment No. 2 to Senate Bill 29; Senate Amendment No. 2 to Senate Bill 276; Senate Amendment No. 1 to Senate Bill 989; Senate Amendment No. 1 to Senate Bill 1151.**

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

Senate Amendment No. 2 to Senate Bill 230
Senate Amendment No. 2 to Senate Bill 435

Senate Amendment No. 3 to Senate Bill 575
Senate Amendment No. 1 to Senate Bill 795
Senate Amendment No. 1 to Senate Bill 805
Senate Amendment No. 2 to Senate Bill 1026

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Dillard, **Senate Bill No. 391**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Parker, **Senate Bill No. 394**, 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 59; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shaw
Bomke	Hawkinson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jacobs	Myers	Smith

Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Luechtefeld	Radogno	Weaver
Dudycz	Madigan, L.	Rauschenberger	Welch
Fawell	Madigan, R.	Rea	Mr. President
Geo-Karis	Mahar	Shadid	

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 Parker, **Senate Bill No. 395**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Maitland, **Senate Bill No. 412**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Bomke, **Senate Bill No. 430**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rauschenberger
Bomke	Halvorson	Mahar	Rea
Bowles	Hawkinson	Maitland	Shadid
Burzynski	Hendon	Molaro	Shaw
Clayborne	Jacobs	Munoz	Sieben
Cronin	Jones, E.	Myers	Silverstein
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			Welch
			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 R. Madigan, **Senate Bill No. 434**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Sullivan
Cullerton	Jones, W.	Noland	Syverson
DeLeo	Karpiel	Obama	Trotter
del Valle	Klemm	O'Daniel	Viverito
Demuzio	Lauzen	O'Malley	Walsh, L.
Dillard	Lightford	Parker	Walsh, T.
Donahue	Link	Peterson	Watson
Dudycz	Luechtefeld	Radogno	Weaver
Fawell	Madigan, L.	Rauschenberger	Welch
			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 R. Madigan, **Senate Bill No. 435** was recalled from the order of third reading to the order of second reading.

Senator R. Madigan offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 435, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 19, line 17 by inserting "developer or his or her" after "such"; and
on page 29, line 6 by changing "range or" to "range of"; and
on page 35, line 10 by deleting "of"; and
on page 35, line 14 by changing "with" to "within"; and
on page 38, line 2 by changing "(d)" to "(c)"; and
on page 39, line 28 by changing "licensures" to "licensure".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was ordered to a third reading.

READING A BILL OF THE SENATE A THIRD TIME

On motion of Senator Silverstein, **Senate Bill No. 460**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Berman, **Senate Bill No. 465** was recalled from the order of third reading to the order of second reading.

Senator Berman offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 465 on page 2, lines 25 and 26 by deleting "with a developmental disability as defined in Section 11a-1".

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 Burzynski, **Senate Bill No. 475**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Parker, **Senate Bill No. 477**, 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 58; Nays None.

The following voted in the affirmative:

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

Fawell	Madigan, L.	Rauschenberger	Weaver

Welch
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 Petka, **Senate Bill No. 481**, 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; Present 2.

The following voted in the affirmative:

Bomke	Hawkinson	Mahar	Rauschenberger
Bowles	Hendon	Maitland	Rea
Burzynski	Jacobs	Molaro	Shaw
Clayborne	Jones, E.	Munoz	Sieben
Cronin	Jones, W.	Myers	Sullivan
DeLeo	Karpiel	Noland	Syverson
del Valle	Klemm	Obama	Trotter
Dillard	Lauzen	O'Daniel	Viverito
Donahue	Lightford	O'Malley	Walsh, L.
Dudycz	Link	Parker	Walsh, T.
Fawell	Luechtefeld	Peterson	Watson
Geo-Karis	Madigan, L.	Petka	Weaver
Halvorson	Madigan, R.	Radogno	Welch
			Mr. President

The following voted in the negative:

Berman

The following voted present:

Cullerton
Silverstein

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. 483**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Rea
Bomke	Hawkinson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cullerton	Jones, W.	Noland	Smith

DeLeo	Karpiel	Obama	Sullivan
del Valle	Klemm	O'Daniel	Syverson
Demuzio	Lauzen	O'Malley	Trotter
Dillard	Lightford	Parker	Viverito
Donahue	Link	Peterson	Walsh, L.
Dudycz	Luechtefeld	Petka	Walsh, T.
Fawell	Madigan, L.	Radogno	Watson
Geo-Karis	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Geo-Karis, **Senate Bill No. 486**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Rea
Bomke	Hawkinson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cullerton	Jones, W.	Noland	Smith
DeLeo	Karpiel	Obama	Sullivan
del Valle	Klemm	O'Daniel	Syverson
Demuzio	Lauzen	O'Malley	Trotter
Dillard	Lightford	Parker	Viverito
Donahue	Link	Peterson	Walsh, L.
Dudycz	Luechtefeld	Petka	Walsh, T.
Fawell	Madigan, L.	Radogno	Watson
Geo-Karis	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Rauschenberger, **Senate Bill No. 496** was recalled from the order of third reading to the order of second reading.

Senator Rauschenberger offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 496 on page 1, line 2, by replacing "22.19a and 22.19b" with "22.19a, 22.19b, and 39.2"; and on page 1, line 6, by replacing "22.19a and 22.19b" with "22.19a,

22.19b, and 39.2"; and

on page 3, by inserting the following immediately after line 12:

"(415 ILCS 5/39.2) (from Ch. 111 1/2, par. 1039.2)

Sec. 39.2. Local siting review.

(a) The county board of the county or the governing body of the municipality, as determined by paragraph (c) of Section 39 of this Act, shall approve or disapprove the request for local siting approval for each pollution control facility which is subject to such review. An applicant for local siting approval shall submit sufficient details describing the proposed facility to demonstrate compliance, and local siting approval shall be granted only if the proposed facility meets the following criteria:

(i) the facility is necessary to accommodate the waste needs of the area it is intended to serve;

(ii) the facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;

(iii) the facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property;

(iv) (A) for a facility other than a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100 year flood plain or the site is flood-proofed; (B) for a facility that is a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100-year floodplain, or if the facility is a facility described in subsection (b)(3) ~~subsection (b)~~ of Section 22.19a, the site is flood-proofed;

(v) the plan of operations for the facility is designed to minimize the danger to the surrounding area from fire, spills, or other operational accidents;

(vi) the traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flows;

(vii) if the facility will be treating, storing or disposing of hazardous waste, an emergency response plan exists for the facility which includes notification, containment and evacuation procedures to be used in case of an accidental release;

(viii) if the facility is to be located in a county where the county board has adopted a solid waste management plan consistent with the planning requirements of the Local Solid Waste Disposal Act or the Solid Waste Planning and Recycling Act, the facility is consistent with that plan; and

(ix) if the facility will be located within a regulated recharge area, any applicable requirements specified by the Board for such areas have been met.

The county board or the governing body of the municipality may also consider as evidence the previous operating experience and past record of convictions or admissions of violations of the applicant (and any subsidiary or parent corporation) in the field of solid waste management when considering criteria (ii) and (v) under this Section.

(b) No later than 14 days prior to a request for location approval the applicant shall cause written notice of such request to be served either in person or by registered mail, return receipt requested, on the owners of all property within the subject area not solely owned by the applicant, and on the owners of all property within 250 feet in each direction of the lot line of the subject property, said owners being such persons or entities which appear from the authentic tax records of the County in which such facility is to be located; provided, that the number of all feet occupied by

all public roads, streets, alleys and other public ways shall be excluded in computing the 250 feet requirement; provided further, that in no event shall this requirement exceed 400 feet, including public streets, alleys and other public ways.

Such written notice shall also be served upon members of the General Assembly from the legislative district in which the proposed facility is located and shall be published in a newspaper of general circulation published in the county in which the site is located.

Such notice shall state the name and address of the applicant, the location of the proposed site, the nature and size of the development, the nature of the activity proposed, the probable life of the proposed activity, the date when the request for site approval will be submitted, and a description of the right of persons to comment on such request as hereafter provided.

(c) An applicant shall file a copy of its request with the county board of the county or the governing body of the municipality in which the proposed site is located. The request shall include (i) the substance of the applicant's proposal and (ii) all documents, if any, submitted as of that date to the Agency pertaining to the proposed facility, except trade secrets as determined under Section 7.1 of this Act. All such documents or other materials on file with the county board or governing body of the municipality shall be made available for public inspection at the office of the county board or the governing body of the municipality and may be copied upon payment

of the actual cost of reproduction.

Any person may file written comment with the county board or governing body of the municipality concerning the appropriateness of the proposed site for its intended purpose. The county board or governing body of the municipality shall consider any comment received or postmarked not later than 30 days after the date of the last public hearing.

(d) At least one public hearing is to be held by the county board or governing body of the municipality no sooner than 90 days but no later than 120 days from receipt of the request for site approval. No later than 14 days prior to such hearing notice shall be published in a newspaper of general circulation published in the county of the proposed site, and delivered by certified mail to all members of the General Assembly from the district in which the proposed site is located, to the governing authority of every municipality contiguous to the proposed site or contiguous to the municipality in which the proposed site is to be located, to the county board of the county where the proposed site is to be located, if the proposed site is located within the boundaries of a municipality, and to the Agency. Members or representatives of the governing authority of a municipality contiguous to the proposed site or contiguous to the municipality in which the proposed site is to be located and, if the proposed site is located in a municipality, members or representatives of the county board of a county in which the proposed site is to be located may appear at and participate in public hearings held pursuant to this Section. The public hearing shall develop a record sufficient to form the basis of appeal of the decision in accordance with Section 40.1 of this Act. The fact that a member of the county board or governing body of the municipality has publicly expressed an opinion on an issue related to a site review proceeding shall not preclude the member from taking part in the proceeding and voting on the issue.

(e) Decisions of the county board or governing body of the municipality are to be in writing, specifying the reasons for the decision, such reasons to be in conformance with subsection (a) of this Section. In granting approval for a site the county board or governing body of the municipality may impose such conditions as may

be reasonable and necessary to accomplish the purposes of this Section and as are not inconsistent with regulations promulgated by the Board. Such decision shall be available for public inspection at the office of the county board or governing body of the municipality and may be copied upon payment of the actual cost of reproduction. If there is no final action by the county board or governing body of the municipality within 180 days after the filing of the request for site approval the applicant may deem the request approved.

At any time prior to completion by the applicant of the presentation of the applicant's factual evidence and an opportunity for cross-questioning by the county board or governing body of the municipality and any participants, the applicant may file not more than one amended application upon payment of additional fees pursuant to subsection (k); in which case the time limitation for final action set forth in this subsection (e) shall be extended for an additional

period of 90 days.

If, prior to making a final local siting decision, a county board or governing body of a municipality has negotiated and entered into a host agreement with the local siting applicant, the terms and conditions of the host agreement, whether written or oral, shall be disclosed and made a part of the hearing record for that local siting proceeding. In the case of an oral agreement, the disclosure shall be made in the form of a written summary jointly prepared and submitted by the county board or governing body of the municipality and the siting applicant and shall describe the terms and conditions of the oral agreement.

(e-5) Siting approval obtained pursuant to this Section is transferable and may be transferred to a subsequent owner or operator. In the event that siting approval has been transferred to a subsequent owner or operator, that subsequent owner or operator assumes and takes subject to any and all conditions imposed upon the prior owner or operator by the county board of the county or governing body of the municipality pursuant to subsection (e). However, any such conditions imposed pursuant to this Section may be modified by agreement between the subsequent owner or operator and the appropriate county board or governing body. Further, in the event that siting approval obtained pursuant to this Section has been transferred to a subsequent owner or operator, that subsequent owner or operator assumes all rights and obligations and takes the facility subject to any and all terms and conditions of any existing host agreement between the prior owner or operator and the appropriate county board or governing body.

(f) A local siting approval granted under this Section shall expire at the end of 2 calendar years from the date upon which it was granted, unless the local siting approval granted under this Section is for a sanitary landfill operation, in which case the approval shall expire at the end of 3 calendar years from the date upon which it was granted, and unless within that period the applicant has made application to the Agency for a permit to develop the site. In the event that the local siting decision has been appealed, such expiration period shall be deemed to begin on the date upon which the appeal process is concluded.

Except as otherwise provided in this subsection, upon the expiration of a development permit under subsection (k) of Section 39, any associated local siting approval granted for the facility under this Section shall also expire.

If a first development permit for a municipal waste incineration facility expires under subsection (k) of Section 39 after September 30, 1989 due to circumstances beyond the control of the applicant, any associated local siting approval granted for the facility under this Section may be used to fulfill the local siting approval

requirement upon application for a second development permit for the same site, provided that the proposal in the new application is materially the same, with respect to the criteria in subsection (a) of this Section, as the proposal that received the original siting approval, and application for the second development permit is made before January 1, 1990.

(g) The siting approval procedures, criteria and appeal procedures provided for in this Act for new pollution control facilities shall be the exclusive siting procedures and rules and appeal procedures for facilities subject to such procedures. Local zoning or other local land use requirements shall not be applicable to such siting decisions.

(h) Nothing in this Section shall apply to any existing or new pollution control facility located within the corporate limits of a municipality with a population of over 1,000,000.

(i) The Department shall make a study of technical considerations relating to the siting of new pollution control facilities. Such study shall include, but need not be limited to, a determination of the geologic and hydrologic conditions in the State most suitable for the siting of such facilities, the establishment of a data base on such conditions in Illinois, and recommendations for the establishment of technical guidelines and criteria to be used in making such siting decisions. The Department shall report such study and recommendations to the General Assembly, the Governor, the Board and the public no later than October 1, 1984.

The Board shall adopt regulations establishing the geologic and hydrologic siting criteria necessary to protect usable groundwater resources which are to be followed by the Agency in its review of permit applications for new pollution control facilities. Such regulations, insofar as they apply to new pollution control facilities authorized to store, treat or dispose of any hazardous waste, shall be at least as stringent as the requirements of the Resource Conservation and Recovery Act and any State or federal regulations adopted pursuant thereto.

(j) Any new pollution control facility which has never obtained local siting approval under the provisions of this Section shall be required to obtain such approval after a final decision on an appeal of a permit denial.

(k) A county board or governing body of a municipality may charge applicants for siting review under this Section a reasonable fee to cover the reasonable and necessary costs incurred by such county or municipality in the siting review process.

(l) The governing Authority as determined by subsection (c) of Section 39 of this Act may request the Department of Transportation to perform traffic impact studies of proposed or potential locations for required pollution control facilities.

(m) An applicant may not file a request for local siting approval which is substantially the same as a request which was disapproved pursuant to a finding against the applicant under any of criteria (i) through (ix) of subsection (a) of this Section within the preceding 2 years.

(n) In any review proceeding of a decision of the county board or governing body of a municipality made pursuant to the local siting review process, the petitioner in the review proceeding shall pay to the county or municipality the cost of preparing and certifying the record of proceedings. Should the petitioner in the review proceeding fail to make payment, the provisions of Section 3-109 of the Code of Civil Procedure shall apply.

In the event the petitioner is a citizens' group that participated in the siting proceeding and is so located as to be affected by the proposed facility, such petitioner shall be exempt

from paying the costs of preparing and certifying the record.

(o) Notwithstanding any other provision of this Section, a transfer station used exclusively for landscape waste, where landscape waste is held no longer than 24 hours from the time it was received, is not subject to the requirements of local siting approval under this Section, but is subject only to local zoning approval.

(Source: P.A. 89-102, eff. 7-7-95; 89-200, eff. 1-1-96; 89-626, eff. 8-9-96; 90-217, eff. 1-1-98; 90-409, eff. 8-15-97; 90-503, eff. 8-19-97; 90-537, eff. 11-26-97; 90-655, eff. 7-30-98.)".

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 A BILL OF THE SENATE A THIRD TIME

On motion of Senator Dillard, **Senate Bill No. 507**, 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:

Berman	Halvorson	Mahar	Shaw
Bomke	Hawkinson	Maitland	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jacobs	Myers	Smith
Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
Demuzio	Lauzen	Parker	Walsh, L.
Dillard	Lightford	Peterson	Walsh, T.
Donahue	Link	Petka	Watson
Dudycz	Luechtefeld	Radogno	Weaver
Fawell	Madigan, L.	Rauschenberger	Welch
Geo-Karis	Madigan, R.	Rea	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 Dillard, **Senate Bill No. 541** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was held in the Committee on Rules.

Senators Obama - Dillard offered the following amendment:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 541, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Hospital Licensing Act is amended by changing Section 6.17 as follows:

(210 ILCS 85/6.17)

Sec. 6.17. Protection of and confidential access to medical records and information.

(a) Every hospital licensed under this Act shall develop a medical record for each of its patients as required by the Department by rule.

(b) All information regarding a hospital patient gathered by the hospital's medical staff and its agents and employees shall be the property and responsibility of the hospital and must be protected from inappropriate disclosure as provided in this Section.

(c) Every hospital shall preserve its medical records in a format and for a duration established by hospital policy and for not less than 10 years, provided that if the hospital has been notified in writing by an attorney before the expiration of the 10 year retention period that there is litigation pending in court involving the record of a particular patient as possible evidence and that the patient is his client or is the person who has instituted such litigation against his client, then the hospital shall retain the record of that patient until notified in writing by the plaintiff's attorney, with the approval of the defendant's attorney of record, that the case in court involving such record has been concluded or for a period of 12 years from the date that the record was produced, whichever occurs first in time.

(d) No member of a hospital's medical staff and no agent or employee of a hospital shall disclose the nature or details of services provided to patients, except that the information may be disclosed to the patient, persons authorized by the patient, the party making treatment decisions, if the patient is incapable of making decisions regarding the health services provided, those parties directly involved with providing treatment to the patient or processing the payment for that treatment, those parties responsible for peer review, utilization review, quality assurance, risk management or defense of claims brought against the hospital arising out of the care, and those parties required to be notified under the Abused and Neglected Child Reporting Act, the Illinois Sexually Transmissible Disease Control Act, or where otherwise authorized or required by law.

(e) The hospital's medical staff members and the hospital's agents and employees may communicate, at any time and in any fashion, with legal counsel for the hospital concerning the patient medical record privacy and retention requirements of this Section and any care or treatment they provided or assisted in providing to any patient within the scope of their employment or affiliation with the hospital.

(f) ~~(a)~~ Each hospital licensed under this Act shall provide its

federally designated organ procurement agency and any tissue bank with which it has an agreement with access to the medical records of deceased patients for the following purposes:

(1) estimating the hospital's organ and tissue donation potential;

(2) identifying the educational needs of the hospital with respect to organ and tissue donation; and

(3) identifying the number of organ and tissue donations and referrals to potential organ and tissue donors.

(g) ~~(b)~~ All hospital and patient information, interviews, reports, statements, memoranda, and other data obtained or created by a tissue bank or federally designated organ procurement agency from the medical records review described in subsection (f) ~~(a)~~ shall be privileged, strictly confidential, and used only for the purposes put forth in subsection (f) ~~(a)~~ of this Section and shall not be admissible as evidence nor discoverable in an action of any kind in

court or before a tribunal, board, agency, or person.
terms of this Section shall not be subject to any type of civil or criminal liability or

(i) Any individual who wilfully or wantonly discloses hospital or medical record information in violation of this Section is guilty of a Class A misdemeanor. As used in this subsection, "wilfully or wantonly" means a course of action that shows an actual or deliberate intention to cause harm or that, if not intentional, shows an utter indifference to or conscious disregard for the safety of others or their property.

(Source: P.A. 89-393, eff. 8-20-95.)".

Senator Obama moved the adoption of the foregoing amendment.

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 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 Syverson, **Senate Bill No. 544**, 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 59; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shaw
Bomke	Hawkinson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jacobs	Myers	Smith
Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson

Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Luechtefeld	Radogno	Weaver
Dudycz	Madigan, L.	Rauschenberger	Welch
Fawell	Madigan, R.	Rea	Mr. President
Geo-Karis	Mahar	Shadid	

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 Lauzen, **Senate Bill No. 545**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Lauzen, **Senate Bill No. 546**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Lauzen, **Senate Bill No. 547**, 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 46; Nays 9.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Rauschenberger
Bomke	Hendon	Molaro	Shadid
Bowles	Jacobs	Munoz	Shaw
Burzynski	Jones, E.	Myers	Sieben
Cullerton	Karpiel	Obama	Silverstein
DeLeo	Klemm	O'Daniel	Smith
del Valle	Lauzen	O'Malley	Sullivan
Dillard	Lightford	Parker	Trotter
Dudycz	Luechtefeld	Peterson	Viverito
Fawell	Madigan, L.	Petka	Walsh, T.
Geo-Karis	Mahar	Radogno	Watson
			Weaver
			Mr. President

The following voted in the negative:

Cronin	Donahue	Link	Rea
Demuzio	Hawkinson	Noland	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.

At the hour of 3:30 o'clock p.m., Senator Donahue presiding.

On motion of Senator Lauzen, **Senate Bill No. 548**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Cronin, **Senate Bill No. 554**, 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 59; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shaw
Bomke	Hawkinson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jacobs	Myers	Smith
Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito

del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Luechtefeld	Radogno	Weaver
Dudycz	Madigan, L.	Rauschenberger	Welch
Fawell	Madigan, R.	Rea	Mr. President
Geo-Karis	Mahar	Shadid	

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 Clayborne, **Senate Bill No. 564**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Halvorson, **Senate Bill No. 566**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
			Welch
			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 Dudycz, **Senate Bill No. 575** was recalled from the order of third reading to the order of second reading.

Senator Dudycz offered the following amendment:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 575, AS AMENDED, with reference to page and line numbers of Senate amendment 1, on page 6, line 5, by replacing line 5 with the following:

"subsection (d), the property will no longer be exempt".

Senator Dudycz moved that the foregoing amendment be ordered to lie on the table.

The motion to table prevailed.

Senator Dudycz offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 575, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 6, line 5, by replacing "(c)," with "(d),"; and
on page 6, line 16, by replacing "(c)" with "(d)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 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 Parker, **Senate Bill No. 576**, 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 59; Nays None.

The following voted in the affirmative:

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

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. 624**, 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 58; Nays None.

The following voted in the affirmative:

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

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 Munoz, **Senate Bill No. 642**, 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; Present 2.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Sieben
Bomke	Hawkinson	Munoz	Silverstein
Burzynski	Hendon	Myers	Smith
Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Luechtefeld	Radogno	Weaver
Dudycz	Madigan, L.	Rea	Welch
Fawell	Madigan, R.	Shadid	Mr. President
Geo-Karis	Mahar	Shaw	

The following voted present:

Jacobs
Molaro

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 Munoz, **Senate Bill No. 644** was recalled from the order of third reading to the order of second reading.

Senator Munoz offered the following amendment and moved its adoption:

AMENDMENT NO. 3

AMENDMENT NO. 3. Amend Senate Bill 644, AS AMENDED, with

reference to the page and line numbers of Senate Amendment No. 2, on page 4, line 28, by inserting "or inchoate violation" after "violation".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 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 Maitland, **Senate Bill No. 668**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Bomke, **Senate Bill No. 735**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea

Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			Welch
			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 Mahar, **Senate Bill No. 737**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			Welch
			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 Geo-Karis, **Senate Bill No. 739**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Viverito
Demuzio	Lauzen	Parker	Walsh, L.
Dillard	Lightford	Peterson	Walsh, T.
Donahue	Link	Petka	Watson
Dudycz	Luechtefeld	Radogno	Weaver
Fawell	Madigan, L.	Rauschenberger	Welch
			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. 747**, 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 2.

The following voted in the affirmative:

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

Fawell	Mahar	Shadid	Mr. President

The following voted in the negative:

Karpiel
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 Parker, **Senate Bill No. 752**, 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 1.

The following voted in the affirmative:

Berman	Halvorson	Mahar	Shadid
Bomke	Hawkinson	Maitland	Shaw
Bowles	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Welch
Geo-Karis	Madigan, R.	Rea	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 Cronin, **Senate Bill No. 757**, 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:

Berman	Geo-Karis	Madigan, R.	Shadid
Bomke	Halvorson	Mahar	Shaw
Bowles	Hawkinson	Molaro	Sieben
Burzynski	Hendon	Munoz	Silverstein
Clayborne	Jacobs	Myers	Smith
Cronin	Jones, E.	Noland	Sullivan
Cullerton	Jones, W.	Obama	Syverson
DeLeo	Karpiel	O'Daniel	Trotter
del Valle	Klemm	O'Malley	Viverito
Demuzio	Lauzen	Parker	Walsh, L.
Dillard	Lightford	Peterson	Watson
Donahue	Link	Petka	Weaver
Dudycz	Luechtefeld	Radogno	Mr. President
Fawell	Madigan, L.	Rea	

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 Fawell, **Senate Bill No. 764**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
			Welch
			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 Bomke, **Senate Bill No. 774**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			Welch
			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 Bomke, **Senate Bill No. 775**, 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 2; Present 9.

The following voted in the affirmative:

Berman	Hawkinson	Myers	Smith
Bomke	Jones, W.	Noland	Sullivan
Bowles	Karpiel	O'Daniel	Trotter
Clayborne	Klemm	Parker	Viverito
DeLeo	Lightford	Peterson	Walsh, L.
del Valle	Link	Petka	Walsh, T.
Dillard	Luechtefeld	Radogno	Watson
Dudycz	Madigan, L.	Shadid	Weaver
Fawell	Madigan, R.	Shaw	Welch
Geo-Karis	Mahar	Sieben	Mr. President
Halvorson	Munoz	Silverstein	

The following voted in the negative:

Jacobs
Maitland

The following voted present:

Burzynski	Demuzio	Lauzen	O'Malley
Cronin	Donahue	Molaro	Rauschenberger
			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.

Senator Maitland asked and obtained unanimous consent for the Journal to reflect that he inadvertently voted "No" instead of "Yes" on the passage of **Senate Bill No. 775**.

SENATE BILL RECALLED

On motion of Senator Dillard, **Senate Bill No. 784** was recalled from the order of third reading to the order of second reading.

Senator Dillard offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 784, AS AMENDED, in subsection (b) of Sec. 103-5 of Section 5, by deleting "made orally on the record in open court and"; and
in subsection (b) of Sec. 103-5 of Section 5, by deleting "A demand for trial is not effective until all of these conditions are met.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 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 Parker, **Senate Bill No. 786**, 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 58; Nays 1.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben

Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			Welch

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 Petka, **Senate Bill No. 794**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hawkinson	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Petka, **Senate Bill No. 795** was recalled from the order of third reading to the order of second reading.

Senator Petka offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 795 on page 7, by replacing lines 20 through 30 with the following:

"(g) A title insurance company or title insurance agent, not qualified as an independent escrowee, may act in the capacity of an escrow agent when it is supplying an abstract of title, grantor-grantee search, tract search, lien search, tax assessment search, or other limited purpose search to the parties to the transaction even if it is not issuing a title insurance commitment or title insurance policy. A title insurance agent may act as an escrow

agent only when specifically authorized in writing on forms prescribed by the Director by a title insurance company that has duly registered the agent with the Director and only when notice of the authorization is provided to and receipt thereof is acknowledged by the Director. The authority granted to a title insurance agent may be limited or revoked at any time by the title insurance company.".

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 Noland, **Senate Bill No. 800**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 50; Nays 1; Present 8.

The following voted in the affirmative:

Berman	Dudycz	Madigan, R.	Petka
Bomke	Fawell	Mahar	Radogno
Bowles	Geo-Karis	Maitland	Rauschenberger
Burzynski	Hawkinson	Molaro	Rea
Clayborne	Hendon	Munoz	Sieben
Cronin	Jacobs	Myers	Silverstein
Cullerton	Jones, E.	Noland	Smith
DeLeo	Karpiel	Obama	Sullivan

del Valle	Klemm	O'Daniel	Syverson
Demuzio	Lauzen	O'Malley	Trotter
Dillard	Link	Parker	Walsh, T.
Donahue	Luechtefeld	Peterson	Watson
			Weaver
			Mr. President

The following voted in the negative:

Shaw

The following voted present:

Halvorson	Lightford	Shadid	Walsh, L.
Jones, W.	Madigan, L.	Viverito	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 R. Madigan, **Senate Bill No. 801**, 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	Halvorson	Maitland	Shadid
Bowles	Hendon	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Obama	Smith
DeLeo	Karpiel	O'Daniel	Sullivan
del Valle	Klemm	O'Malley	Syverson
Demuzio	Lauzen	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Welch
Geo-Karis	Mahar	Rea	Mr. President

The following voted in the negative:

Berman
Cullerton
Hawkinson
Trotter

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 Maitland, **Senate Bill No. 802**, 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 58; Nays None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Cullerton

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 Mahar, **Senate Bill No. 805** was recalled from the order of third reading to the order of second reading.

Senator Mahar offered the following amendment and moved its adoption:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 805 on page 2, line 1, by inserting "<u>, subject to appropriations for those grants,</u>" after "<u>Fund</u>".

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 Watson, **Senate Bill No. 820**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hawkinson	Molaro	Shaw
Burzynski	Jacobs	Munoz	Sieben
Clayborne	Jones, E.	Myers	Silverstein
Cronin	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Syverson
del Valle	Lauzen	O'Malley	Trotter
Demuzio	Lightford	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Klemm, **Senate Bill No. 826**, 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 58; Nays None; Present 1.

The following voted in the affirmative:

Berman	Geo-Karis	Mahar	Rea
Bomke	Halvorson	Maitland	Shadid
Bowles	Hawkinson	Molaro	Shaw

Burzynski	Hendon	Munoz	Sieben
Clayborne	Jacobs	Myers	Silverstein
Cronin	Jones, E.	Noland	Smith
Cullerton	Jones, W.	Obama	Sullivan
DeLeo	Karpiel	O'Daniel	Syverson
del Valle	Klemm	O'Malley	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Link	Peterson	Walsh, L.
Donahue	Luechtefeld	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			Mr. President

The following voted present:

Lightford

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 Klemm, **Senate Bill No. 827**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rauschenberger
Bomke	Halvorson	Mahar	Rea
Bowles	Hawkinson	Maitland	Shadid
Burzynski	Hendon	Molaro	Shaw
Clayborne	Jacobs	Munoz	Sieben
Cronin	Jones, E.	Myers	Silverstein
Cullerton	Jones, W.	Noland	Smith
DeLeo	Karpiel	Obama	Sullivan
del Valle	Klemm	O'Daniel	Syverson
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			Welch
			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 O'Malley, **Senate Bill No. 845** 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:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 845, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Sections 12-2 and 12-4 and adding Sections 2-10.2, 2-10.3, and 12-8.1 as follows:

(720 ILCS 5/2-10.2 new)

Sec. 2-10.2. Laser or laser device. "Laser" or "laser device" means any small or hand-held battery powered device which converts incident electromagnetic radiation of mixed frequencies to one or more discrete frequencies of highly amplified and coherent visible radiation or light. Proof that a particular device casts a small red dot or other similar small and discrete image or small and discrete visual signal upon a target surface at least 15 feet away creates a rebuttable presumption that the device is a laser. Flashlights and similar lamps, lanterns, lights, and penlights are not laser devices.

(720 ILCS 5/2-10.3 new)

Sec. 2-10.3. Laser gunsight. "Laser gunsight" means any battery powered laser device manufactured to function as a firearm aiming device or sold as a firearm aiming device.

(720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

Sec. 12-2. Aggravated assault.

(a) A person commits an aggravated assault, when, in committing an assault, he:

(1) Uses a deadly weapon or any device manufactured and designed to be substantially similar in appearance to a firearm, other than by discharging a firearm in the direction of another person, a peace officer, a person summoned or directed by a peace officer, a correctional officer or a fireman or in the direction of a vehicle occupied by another person, a peace officer, a person summoned or directed by a peace officer, a correctional officer or a fireman while the officer or fireman is engaged in the execution of any of his official duties, or to prevent the officer or fireman from performing his official duties, or in retaliation for the officer or fireman performing his official duties;

(2) Is hooded, robed or masked in such manner as to conceal his identity or any device manufactured and designed to be substantially similar in appearance to a firearm;

(3) Knows the individual assaulted to be a teacher or other person employed in any school and such teacher or other employee is upon the grounds of a school or grounds adjacent thereto, or is in any part of a building used for school purposes;

(4) Knows the individual assaulted to be a supervisor, director, instructor or other person employed in any park district and such supervisor, director, instructor or other employee is upon the grounds of the park or grounds adjacent thereto, or is in any part of a building used for park purposes;

(5) Knows the individual assaulted to be a caseworker, investigator, or other person employed by the State Department of Public Aid, a County Department of Public Aid, or the Department of Human Services (acting as successor to the Illinois Department of Public Aid under the Department of Human Services Act) and such caseworker, investigator, or other person is upon the

grounds of a public aid office or grounds adjacent thereto, or is in any part of a building used for public aid purposes, or upon the grounds of a home of a public aid applicant, recipient or any other person being interviewed or investigated in the employees' discharge of his duties, or on grounds adjacent thereto, or is in any part of a building in which the applicant, recipient, or other such person resides or is located;

(6) Knows the individual assaulted to be a peace officer, or a community policing volunteer, or a fireman while the officer or fireman is engaged in the execution of any of his official duties, or to prevent the officer, community policing volunteer, or fireman from performing his official duties, or in retaliation for the officer, community policing volunteer, or fireman performing his official duties, and the assault is committed other than by the discharge of a firearm in the direction of the officer or fireman or in the direction of a vehicle occupied by the officer or fireman;

(7) Knows the individual assaulted to be an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid personnel employed by a municipality or other governmental unit engaged in the execution of any of his official duties, or to prevent the emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistance or first aid personnel from performing his official duties, or in retaliation for the emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistance or first aid personnel performing his official duties;

(8) Knows the individual assaulted to be the driver, operator, employee or passenger of any transportation facility or system engaged in the business of transportation of the public for hire and the individual assaulted is then performing in such capacity or then using such public transportation as a passenger or using any area of any description designated by the transportation facility or system as a vehicle boarding, departure, or transfer location;

(9) Or the individual assaulted is on or about a public way, public property, or public place of accommodation or amusement;

(10) Knows the individual assaulted to be an employee of the State of Illinois, a municipal corporation therein or a political subdivision thereof, engaged in the performance of his authorized duties as such employee;

(11) Knowingly and without legal justification, commits an assault on a physically handicapped person;

(12) Knowingly and without legal justification, commits an assault on a person 60 years of age or older;

(13) Discharges a firearm;

(14) Knows the individual assaulted to be a correctional officer, while the officer is engaged in the execution of any of his or her official duties, or to prevent the officer from performing his or her official duties, or in retaliation for the officer performing his or her official duties; or

(15) Knows the individual assaulted to be a correctional employee, while the employee is engaged in the execution of any of his or her official duties, or to prevent the employee from performing his or her official duties, or in retaliation for the employee performing his or her official duties, and the assault

is committed other than by the discharge of a firearm in the direction of the employee or in the direction of a vehicle occupied by the employee.

(a-5) A person commits an aggravated assault when he or she knowingly and without lawful justification shines or flashes a laser gunsight or other laser device that is attached or affixed to a firearm, or used in concert with a firearm, so that the laser beam strikes near or in the immediate vicinity of any person.

(b) Sentence.

Aggravated assault as defined in paragraphs (1) through (5) and (7) through (12) of subsection (a) of this Section is a Class A misdemeanor. Aggravated assault as defined in paragraphs (13), (14), and (15) of subsection (a) of this Section and as defined in subsection (a-5) of this Section is a Class 4 felony. Aggravated assault as defined in paragraph (6) of subsection (a) of this Section is a Class A misdemeanor if a firearm is not used in the commission of the assault. Aggravated assault as defined in paragraph (6) of subsection (a) of this Section is a Class 4 felony if a firearm is used in the commission of the assault.

(Source: P.A. 89-507, eff. 7-1-97; 90-406, eff. 8-15-97; 90-651, eff. 1-1-99.)

(720 ILCS 5/12-4) (from Ch. 38, par. 12-4)

Sec. 12-4. Aggravated Battery.

(a) A person who, in committing a battery, intentionally or knowingly causes great bodily harm, or permanent disability or disfigurement commits aggravated battery.

(b) In committing a battery, a person commits aggravated battery if he or she:

(1) Uses a deadly weapon other than by the discharge of a firearm;

(2) Is hooded, robed or masked, in such manner as to conceal his identity;

(3) Knows the individual harmed to be a teacher or other person employed in any school and such teacher or other employee is upon the grounds of a school or grounds adjacent thereto, or is in any part of a building used for school purposes;

(4) Knows the individual harmed to be a supervisor,

director, instructor or other person employed in any park district and such supervisor, director, instructor or other employee is upon the grounds of the park or grounds adjacent thereto, or is in any part of a building used for park purposes;

(5) Knows the individual harmed to be a caseworker, investigator, or other person employed by the State Department of Public Aid, a County Department of Public Aid, or the Department of Human Services (acting as successor to the Illinois Department of Public Aid under the Department of Human Services Act) and such caseworker, investigator, or other person is upon the grounds of a public aid office or grounds adjacent thereto, or is in any part of a building used for public aid purposes, or upon the grounds of a home of a public aid applicant, recipient, or any other person being interviewed or investigated in the employee's discharge of his duties, or on grounds adjacent thereto, or is in any part of a building in which the applicant, recipient, or other such person resides or is located;

(6) Knows the individual harmed to be a peace officer, a community policing volunteer, a correctional institution employee, or a fireman while such officer, volunteer, employee or fireman is engaged in the execution of any official duties including arrest or attempted arrest, or to prevent the officer, volunteer, employee or fireman from performing official duties, or in retaliation for the officer, volunteer, employee or fireman

performing official duties, and the battery is committed other than by the discharge of a firearm;

(7) Knows the individual harmed to be an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid personnel engaged in the performance of any of his or her official duties, or to prevent the emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistance or first aid personnel from performing official duties, or in retaliation for performing official duties;

(8) Is, or the person battered is, on or about a public way, public property or public place of accommodation or amusement;

(9) Knows the individual harmed to be the driver, operator, employee or passenger of any transportation facility or system engaged in the business of transportation of the public for hire and the individual assaulted is then performing in such capacity or then using such public transportation as a passenger or using any area of any description designated by the transportation facility or system as a vehicle boarding, departure, or transfer location;

(10) Knowingly and without legal justification and by any means causes bodily harm to an individual of 60 years of age or older;

(11) Knows the individual harmed is pregnant;

(12) Knows the individual harmed to be a judge whom the

person intended to harm as a result of the judge's performance of his or her official duties as a judge;

(13) Knows the individual harmed to be an employee of the Illinois Department of Children and Family Services engaged in the performance of his authorized duties as such employee;

(14) Knows the individual harmed to be a person who is physically handicapped; or

(15) Knowingly and without legal justification and by any means causes bodily harm to a merchant who detains the person for an alleged commission of retail theft under Section 16A-5 of this Code. In this item (15), "merchant" has the meaning ascribed to it in Section 16A-2.4 of this Code.

For the purpose of paragraph (14) of subsection (b) of this Section, a physically handicapped person is a person who suffers from a permanent and disabling physical characteristic, resulting from disease, injury, functional disorder or congenital condition.

(c) A person who administers to an individual or causes him to take, without his consent or by threat or deception, and for other than medical purposes, any intoxicating, poisonous, stupefying, narcotic, anesthetic, or controlled substance commits aggravated battery.

(d) A person who knowingly gives to another person any food that contains any substance or object that is intended to cause physical injury if eaten, commits aggravated battery.

(d-5) A person commits aggravated battery when he or she knowingly and without lawful justification shines or flashes a laser gunsight or other laser device that is attached or affixed to a firearm, or used in concert with a firearm, so that the laser beam strikes upon or against the person of another.

(e) Sentence.

Aggravated battery is a Class 3 felony.

(Source: P.A. 89-507, eff. 7-1-97; 90-115, eff. 1-1-98; 90-651, eff. 1-1-99; 90-735, eff. 8-11-98; revised 9-16-98.)

(720 ILCS 5/12-8.1 new)

Sec. 12-8.1. Aiming a laser pointer at a peace officer.

(a) A person commits the offense of aiming a laser pointer at a peace officer when he or she intentionally or knowingly shines or flashes a laser device at a person he or she knows or reasonably should know to be a peace officer.

(b) Sentence. Aiming a laser pointer at a peace officer is a Class A misdemeanor.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 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 Viverito, **Senate Bill No. 861**, 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 57; Nays 1.

The following voted in the affirmative:

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

At the hour of 4:54 o'clock p.m., Senator Maitland presiding.

On motion of Senator Dudycz, **Senate Bill No. 868**, 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 18; Nays 32; Present 5.

The following voted in the affirmative:

Berman	Dillard	Madigan, L.	Rauschenberger
Bomke	Dudycz	Molaro	Rea
Cullerton	Halvorson	Munoz	Silverstein
DeLeo	Karpiel	O'Malley	Sullivan
			Syverson
			Walsh, L.

The following voted in the negative:

Bowles	Klemm	Myers	Shaw

Burzynski	Lauzen	Noland	Sieben
Clayborne	Lightford	O'Daniel	Smith
Cronin	Link	Parker	Trotter
Donahue	Luechtefeld	Peterson	Viverito
Hawkinson	Madigan, R.	Petka	Walsh, T.
Hendon	Mahar	Radogno	Watson
Jones, W.	Maitland	Shadid	Weaver

The following voted present:

Demuzio
Fawell
Geo-Karis
Jacobs
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).

At the hour of 5:02 o'clock p.m., Senator Donahue presiding.

On motion of Senator Trotter, **Senate Bill No. 910**, 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 59; Nays None.

The following voted in the affirmative:

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

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 5:04 o'clock p.m., Senator Maitland presiding.

On motion of Senator Rauschenberger, **Senate Bill No. 933**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Dillard, **Senate Bill No. 935**, 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 2; Present 1.

The following voted in the affirmative:

Berman	Geo-Karis	Maitland	Shadid
Bomke	Halvorson	Molaro	Sieben
Bowles	Hawkinson	Munoz	Silverstein
Burzynski	Hendon	Myers	Smith
Clayborne	Jacobs	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Walsh, L.
del Valle	Lauzen	Parker	Walsh, T.
Demuzio	Link	Peterson	Watson
Dillard	Luechtefeld	Petka	Weaver
Donahue	Madigan, L.	Radogno	Welch
Dudycz	Madigan, R.	Rauschenberger	Mr. President
Fawell	Mahar	Rea	

The following voted in the negative:

Lightford
Shaw

The following voted present:

Viverito

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 Donahue, **Senate Bill No. 937**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Klemm, **Senate Bill No. 941**, 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 2; Present 3.

The following voted in the affirmative:

Berman	Geo-Karis	Maitland	Shadid

Bomke	Hawkinson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jones, E.	Myers	Smith
Clayborne	Jones, W.	Noland	Sullivan
Cronin	Karpiel	Obama	Syverson
Cullerton	Klemm	O'Daniel	Trotter
DeLeo	Lauzen	O'Malley	Viverito
del Valle	Link	Parker	Walsh, L.
Demuzio	Luechtefeld	Peterson	Walsh, T.
Dillard	Madigan, L.	Petka	Watson
Donahue	Madigan, R.	Radogno	Weaver
Dudycz	Mahar	Rauschenberger	Welch

Mr. President

The following voted in the negative:

Jacobs
Rea

The following voted present:

Halvorson
Lightford
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 Shaw, **Senate Bill No. 943**, 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 58; Nays None.

The following voted in the affirmative:

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

Fawell	Madigan, R.	Rauschenberger	Weaver
			Welch
			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 Bomke, **Senate Bill No. 945**, 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 59; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shaw
Bomke	Hawkinson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein

Burzynski	Jacobs	Myers	Smith
Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Luechtefeld	Radogno	Weaver
Dudycz	Madigan, L.	Rauschenberger	Welch
Fawell	Madigan, R.	Rea	Mr. President
Geo-Karis	Mahar	Shadid	

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. 946**, 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 59; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shaw
Bomke	Hawkinson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jacobs	Myers	Smith

Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Luechtefeld	Radogno	Weaver
Dudycz	Madigan, L.	Rauschenberger	Welch
Fawell	Madigan, R.	Rea	Mr. President
Geo-Karis	Mahar	Shadid	

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. 956**, 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 57; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rea
Bomke	Halvorson	Mahar	Shadid
Bowles	Hawkinson	Maitland	Shaw
Burzynski	Hendon	Molaro	Sieben

Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			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.

SENATE BILL RECALLED

On motion of Senator Klemm, **Senate Bill No. 958** was recalled from

the order of third reading to the order of second reading.

Senator Klemm offered the following amendment and moved its adoption:

AMENDMENT NO. 2

AMENDMENT NO. 2. Amend Senate Bill 958, AS AMENDED, by inserting immediately after the enacting clause the following:

"Section 5. The Conservation District Act is amended by changing Section 410/5 as follows:".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 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 O'Malley, **Senate Bill No. 966**, 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 59; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shaw
Bomke	Hawkinson	Molaro	Sieben
Bowles	Hendon	Munoz	Silverstein
Burzynski	Jacobs	Myers	Smith
Clayborne	Jones, E.	Noland	Sullivan
Cronin	Jones, W.	Obama	Syverson
Cullerton	Karpiel	O'Daniel	Trotter
DeLeo	Klemm	O'Malley	Viverito
del Valle	Lauzen	Parker	Walsh, L.
Demuzio	Lightford	Peterson	Walsh, T.
Dillard	Link	Petka	Watson
Donahue	Luechtefeld	Radogno	Weaver

Dudycz	Madigan, L.	Rauschenberger	Welch
Fawell	Madigan, R.	Rea	Mr. President
Geo-Karis	Mahar	Shadid	

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. 987**, 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 58; Nays None.

The following voted in the affirmative:

Berman	Geo-Karis	Madigan, R.	Rauschenberger
Bomke	Halvorson	Mahar	Rea
Bowles	Hawkinson	Maitland	Shadid
Burzynski	Hendon	Molaro	Shaw
Clayborne	Jacobs	Munoz	Silverstein
Cronin	Jones, E.	Myers	Smith
Cullerton	Jones, W.	Noland	Sullivan
DeLeo	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	O'Malley	Viverito
Dillard	Lightford	Parker	Walsh, L.
Donahue	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
			Welch
			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 5:40 o'clock p.m., Senator Donahue presiding.

On motion of Senator Luechtefeld, **Senate Bill No. 997**, 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; Present 1.

The following voted in the affirmative:

Berman	Geo-Karis	Maitland	Sieben
Bomke	Halvorson	Molaro	Silverstein
Bowles	Hawkinson	Munoz	Smith
Clayborne	Jacobs	Myers	Sullivan
Cronin	Jones, E.	Obama	Syverson
Cullerton	Jones, W.	O'Daniel	Trotter
DeLeo	Karpiel	Parker	Viverito
del Valle	Klemm	Peterson	Walsh, L.
Demuzio	Link	Petka	Walsh, T.
Dillard	Luechtefeld	Radogno	Watson

Donahue	Madigan, L.	Rea	Weaver
Dudycz	Madigan, R.	Shadid	Welch
Fawell	Mahar	Shaw	Mr. President

The following voted in the negative:

Burzynski
Hendon
Lightford
Rauschenberger

The following voted present:

Lauzen

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. 397**, 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 59; Nays None.

The following voted in the affirmative:

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

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 Maitland, **Senate Bill No. 939**, 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 58; Nays None.

The following voted in the affirmative:

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

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Watson, **Senate Bill No. 40** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 40 by replacing everything after the enacting clause with the following:

"ARTICLE 5.

Section 5-1. Short title. This Article may be cited as the Economic Development for a Growing Economy Tax Credit Act.

Section 5-3. Purpose. The General Assembly finds that the Illinois economy, although currently strong, is still highly vulnerable to other states and nations that have major financial incentive programs for medium-sized and large firm relocations. Because of the incentive programs of these competitor locations, Illinois must move aggressively with new business development investment tools so that Illinois is more competitive in site location decision-making. The State must not only continue to work with firms to help them locate their new plants and facilities in Illinois but also must provide competitive investment location tax credits in support of the location and expansion of medium-sized and large operations of commerce and industry. In an increasingly global economy, Illinois' long-term development would benefit from rational, strategic use of State resources in support of business development and growth.

Section 5-5. Definitions. As used in this Act:

"Agreement" means the Agreement between a Taxpayer and the Department under the provisions of Section 5-50 of this Act.

"Applicant" means a Taxpayer that is operating a business located or that the Taxpayer plans to locate within the State of Illinois and that is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, assembling, warehousing, or distributing products, conducting research and development, providing tourism services, or providing services in interstate commerce,

office industries, or agricultural processing, but excluding retail, retail food, health, or professional services. "Applicant" does not include a Taxpayer who closes or substantially reduces an operation at one location in the State and relocates substantially the same operation to another location in the State. This does not prohibit a Taxpayer from expanding its operations at another location in the State, provided that existing operations of a similar nature located within the State are not closed or substantially reduced. This also does not prohibit a Taxpayer from moving its operations from one location in the State to another location in the State for the purpose of expanding the operation provided that the Department determines that expansion cannot reasonably be accommodated within the municipality in which the business is located, or in the case of a business located in an incorporated area of the county, within the county in which the business is located, after conferring with the chief elected official of the municipality or county and taking into consideration any evidence offered by the municipality or county regarding the ability to accommodate expansion within the municipality or county.

"Committee" means the Illinois Business Investment Committee created under Section 5-25 of this Act within the Illinois Economic Development Board.

"Credit" means the amount agreed to between the Department and Applicant under this Act, but not to exceed the Incremental Income Tax attributable to the Applicant's project.

"Department" means the Department of Commerce and Community Affairs.

"Director" means the Director of Commerce and Community Affairs.

"Full-time Employee" means an individual who is employed for consideration for at least 35 hours each week or who renders any other standard of service generally accepted by industry custom or practice as full-time employment.

"Incremental Income Tax" means the total amount withheld during the taxable year from the compensation of New Employees under Article 7 of the Illinois Income Tax Act arising from employment at a project that is the subject of an Agreement.

"New Employee" means:

(a) A Full-time Employee first employed by a Taxpayer in the project that is the subject of an Agreement and who is hired after the Taxpayer enters into the tax credit Agreement.

(b) The term "New Employee" does not include:

(1) an employee of the Taxpayer who performs a job that was previously performed by another employee, if that job existed for at least 6 months before hiring the employee;

(2) an employee of the Taxpayer who was previously

employed in Illinois by a Related Member of the Taxpayer and whose employment was shifted to the Taxpayer after the Taxpayer entered into the tax credit Agreement; or

(3) a child, grandchild, parent, or spouse, other than a spouse who is legally separated from the individual, of any individual who has a direct or an indirect ownership interest of at least 5% in the profits, capital, or value of the Taxpayer.

(c) Notwithstanding paragraph (1) of subsection (b), an employee may be considered a New Employee under the Agreement if the employee performs a job that was previously performed by an employee who was:

(1) treated under the Agreement as a New Employee; and

(2) promoted by the Taxpayer to another job.

(d) Notwithstanding subsection (a), the Department may

award Credit to an Applicant with respect to an employee hired prior to the date of the Agreement if:

(1) the Applicant is in receipt of a letter from the Department stating an intent to enter into a credit Agreement;

(2) the letter described in paragraph (1) is issued by the Department later than 15 days after the effective date of this Act; and

(3) the employee was hired after the date the letter described in paragraph (1) was issued.

"Noncompliance Date" means, in the case of a Taxpayer that is not complying with the requirements of the Agreement or the provisions of this Act, the last date upon which the Taxpayer was in compliance with the requirements of the Agreement and the provisions of this Act, as determined by the Director, pursuant to Section 5-65.

"Pass Through Entity" means an entity that is exempt from the tax under subsection (b) or (c) of Section 205 of the Illinois Income Tax Act.

"Related Member" means a person that, with respect to the Taxpayer during any portion of the taxable year, is any one of the following:

(1) An individual stockholder, if the stockholder and the members of the stockholder's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the Taxpayer's outstanding stock.

(2) A partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust, and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capitol, stock, or value of the Taxpayer.

(3) A corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the Taxpayer owns directly, indirectly, beneficially, or constructively at least 50% of the value of the

corporation's outstanding stock.

(4) A corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own in the aggregate at least 50% of the profits, capital, stock, or value of the Taxpayer.

(5) A person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except, for purposes of determining whether a person is a Related Member under this paragraph, 20% shall be substituted for 5% wherever 5% appears in Section 1563(e) of the Internal Revenue Code.

"Taxpayer" means an individual, corporation, partnership, or other entity that has any Illinois Income Tax liability.

Section 5-10. Powers of the Department. The Department, in addition to those powers granted under the Civil Administrative Code of Illinois, is granted and shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including, but not limited to, power and authority to:

(a) Promulgate procedures, rules, or regulations deemed necessary and appropriate for the administration of the programs; establish forms for applications, notifications, contracts, or any

other agreements; and accept applications at any time during the year.

(b) Provide and assist Taxpayers pursuant to the provisions of this Act, and cooperate with Taxpayers that are parties to Agreements to promote, foster, and support economic development, capital investment, and job creation or retention within the State.

(c) Enter into agreements and memoranda of understanding for participation of and engage in cooperation with agencies of the federal government, local units of government, universities, research foundations or institutions, regional economic development corporations, or other organizations for the purposes of this Act.

(d) Gather information and conduct inquiries, in the manner and by the methods as it deems desirable, including without limitation, gathering information with respect to Applicants for the purpose of making any designations or certifications necessary or desirable or to gather information to assist the Committee with any recommendation or guidance in the furtherance of the purposes of this Act.

(e) Establish, negotiate and effectuate any term, agreement or other document with any person, necessary or appropriate to accomplish the purposes of this Act; and to consent, subject to the provisions of any Agreement with another party, to the modification or restructuring of any Agreement to which the Department is a party.

(f) Fix, determine, charge, and collect any premiums, fees, charges, costs, and expenses from Applicants, including, without limitation, any application fees, commitment fees, program fees, financing charges, or publication fees as deemed appropriate to pay expenses necessary or incident to the administration, staffing, or operation in connection with the Department's or Committee's

activities under this Act, or for preparation, implementation, and enforcement of the terms of the Agreement, or for consultation, advisory and legal fees, and other costs; however, all fees and expenses incident thereto shall be the responsibility of the Applicant.

(g) Provide for sufficient personnel to permit administration, staffing, operation, and related support required to adequately discharge its duties and responsibilities described in this Act from funds made available through charges to Applicants or from funds as may be appropriated by the General Assembly for the administration of this Act.

(h) Require Applicants, upon written request, to issue any necessary authorization to the appropriate federal, state, or local authority for the release of information concerning a project being considered under the provisions of this Act, with the information requested to include, but not be limited to, financial reports, returns, or records relating to the Taxpayer's or its project.

(i) Require that a Taxpayer shall at all times keep proper books of record and account in accordance with generally accepted accounting principles consistently applied, with the books, records, or papers related to the Agreement in the custody or control of the Taxpayer open for reasonable Department inspection and audits, and including, without limitation, the making of copies of the books, records, or papers, and the inspection or appraisal of any of the Taxpayer or project assets.

(j) Take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance or participation required under this Act, including the power to sell, dispose, lease, or rent, upon terms and conditions determined by the Director to be appropriate, real or personal property that the Department may receive as a result of these actions.

Section 5-15. Tax Credit Awards. Subject to the conditions set forth in this Act, a Taxpayer is entitled to a Credit against taxes imposed pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act that may be imposed on the Taxpayer for a taxable year beginning on or after January 1, 1999, if the Taxpayer is awarded a Credit by the Department under this Act for that taxable year.

(a) The Department shall make Credit awards under this Act to foster job creation and retention in Illinois.

(b) A person that proposes a project to create new jobs in Illinois must enter into an Agreement with the Department for the Credit under this Act.

(c) The Credit shall be claimed for the taxable years specified in the Agreement.

(d) The Credit shall not exceed the Incremental Income Tax attributable to the project that is the subject of the Agreement.

Section 5-20. Application for a project to create and retain new jobs.

(a) Any Taxpayer proposing a project located or planned to be

located in Illinois may request consideration for designation of its project, by formal written letter of request or by formal application to the Department, in which the Applicant states its intent to make at least a specified level of investment and intends to hire or retain a specified number of full-time employees at a designated location in Illinois. As circumstances require, the Department may require a formal application from an Applicant and a formal letter of request for assistance.

(b) In order to qualify for Credits under this Act, an Applicant's project must:

(1) involve an investment of at least $5,000,000 in capital improvements to be placed in service and to employ at least 25 New Employees within a designated location within the State; or

(2) involve an investment of at least an amount (to be expressly specified by the Department and the Committee) in capital improvements to be placed in service and will employ at least an amount (to be expressly specified by the Department and the Committee) of New Employees within a designated location within the State, provided that the Department and the Committee have determined that the project will provide a substantial economic benefit to the State.

(c) After receipt of an application, the Department may enter into an Agreement with the Applicant if the application is accepted in accordance with Section 5-25.

Section 5-25. Review of Application.

(a) In addition to those duties granted under the Illinois Economic Development Board Act, the Illinois Economic Development Board shall form a Business Investment Committee for the purpose of making recommendations for applications. At the request of the Board, the Director of Commerce and Community Affairs or his or her designee, the Director of the Bureau of the Budget or his or her designee, the Director of Revenue or his or her designee, the Director of Employment Security or his or her designee, and an elected official of the affected locality, such as the chair of the county board or the mayor, may serve as members of the Committee to assist with its analysis and deliberations.

(b) At the Department's request, the Committee shall convene, make inquiries, and conduct studies in the manner and by the methods as it deems desirable, review information with respect to Applicants, and make recommendations for projects to benefit the State. In making its recommendation that an Applicant's application for Credit should or should not be accepted, which shall occur within a

reasonable time frame as determined by the nature of the application, the Committee shall determine that all the following conditions exist:

(1) The Applicant's project intends, as required by subsection (b) of Section 5-20 to make the required investment in the State and intends to hire the required number of New Employees at a designated location in Illinois.

(2) The Applicant's project is economically sound and will benefit the people of the State of Illinois by increasing opportunities for employment and strengthen the economy of

Illinois.

(3) That, if not for the Credit, the project would not occur in Illinois, which may be demonstrated by any means including, but not limited to, evidence the Applicant has multi-state location options and could reasonably and efficiently locate outside of the State, or demonstration that at least one other state is being considered for the project, or evidence the receipt of the Credit is a major factor in the Applicant's decision and that without the Credit, the Applicant likely would not create new jobs in Illinois, or demonstration that receiving the Credit is essential to the Applicant's decision to create or retain new jobs in the State.

(4) A cost differential is identified, using best available data, in the projected costs for the Applicant's project compared to the costs in the competing state, including the impact of the competing state's incentive programs. The competing state's incentive programs shall include state, local, private, and federal funds available.

(5) The political subdivisions affected by the project have committed local incentives with respect to the project.

(6) Awarding the Credit will result in an overall positive fiscal impact to the State, as certified by the Committee using the best available data.

(7) The Credit is not prohibited by Section 5-35 of this Act.

Section 5-30. Limitation to amount of costs of specified items. The total amount of the Credit allowed during all tax years may not exceed the aggregate amount of costs incurred by the Taxpayer during all prior tax years for the following items, to the extent provided in the Agreement:

(1) capital investment, including, but not limited to, equipment, buildings, or land;

(2) infrastructure development;

(3) debt service, except refinancing of current debt;

(4) research and development;

(5) job training and education;

(6) lease costs; or

(7) relocation costs.

Section 5-35. Relocation of jobs in Illinois. A Taxpayer is not entitled to claim the Credit provided by this Act with respect to any jobs that the Taxpayer relocates from one site in Illinois to another site in Illinois. Determinations under this Section shall be made by the Department.

Section 5-40. Determination of Amount of the Credit. In determining the amount of the Credit that should be awarded, the Committee shall provide guidance on, and the Department shall take into consideration, the following factors:

(1) The number and location of jobs created and retained in relation to the economy of the county where the projected investment is to occur.

(2) The potential impact on the economy of Illinois.

(3) The magnitude of the cost differential between Illinois

and the competing state.

(4) The incremental payroll attributable to the project.

(5) The capital investment attributable to the project.

(6) The amount of the average wage and benefits paid by the Applicant in relation to the wage and benefits of the area of the project.

(7) The costs to Illinois and the affected political subdivisions with respect to the project.

(8) The financial assistance that is otherwise provided by Illinois and the affected political subdivisions.

Section 5-45. Amount and duration of the Credit. The Department shall determine the amount and duration of the Credit awarded under this Act. The duration of the Credit may not exceed 10 taxable years. The Credit may be stated as a percentage of the Incremental Income Tax attributable to the Applicant's project and may include a fixed dollar limitation.

Section 5-50. Contents of Agreements with Applicants. The Department shall enter into an Agreement with an Applicant that is awarded a Credit under this Act. The Agreement must include all of the following:

(1) A detailed description of the project that is the subject of the Agreement, including the location and amount of the investment and jobs created or retained.

(2) The duration of the Credit and the first taxable year for which the Credit may be claimed.

(3) The Credit amount that will be allowed for each taxable year.

(4) A requirement that the Taxpayer shall maintain operations at the project location that may be stated as a minimum number of years or a multiple of the duration of the Credit.

(5) A specific method for determining the number of New Employees employed during a taxable year.

(6) A requirement that the Taxpayer shall annually report to the Department the number of New Employees, the Incremental Income Tax withheld in connection with the New Employees, and any other information the Director needs to perform the Director's duties under this Act.

(7) A requirement that the Director is authorized to verify with the appropriate State agencies the amounts reported under paragraph (6), and after doing so shall issue a certificate to the Taxpayer stating that the amounts have been verified.

(8) A requirement that the Taxpayer shall provide written notification to the Director not more than 30 days after the Taxpayer makes or receives a proposal that would transfer the Taxpayer's State tax liability obligations to a successor Taxpayer.

(9) A detailed description of the number of New Employees to be hired, and the occupation and payroll of the full-time jobs to be created or retained as a result of the project.

(10) The minimum investment the business enterprise will make in capital improvements, the time period for placing the property in service, and the designated location in Illinois for the investment.

(11) A requirement that the Taxpayer shall provide written notification to the Director and the Committee not more than 30 days after the Taxpayer determines that the minimum job creation

or retention, employment payroll, or investment no longer is being or will be achieved or maintained as set forth in the terms and conditions of the Agreement.

(12) A provision that, if the total number of New Employees falls below a specified level, the allowance of Credit shall be suspended until the number of New Employees equals or exceeds the Agreement amount.

(13) A detailed description of the items for which the costs incurred by the Taxpayer will be included in the limitation on the Credit provided in Section 5-30.

(14) Any other performance conditions or contract provisions as the Department determines are appropriate.

Section 5-55. Certificate of verification; submission to the Department of Revenue. A Taxpayer claiming a Credit under this Act shall submit to the Department of Revenue a copy of the Director's certificate of verification under this Act for the taxable year. However, failure to submit a copy of the certificate with the Taxpayer's tax return shall not invalidate a claim for a Credit.

For a Taxpayer to be eligible for a certificate of verification, the Taxpayer shall provide proof as required by the Department prior to the end of each calendar year, including, but not limited to, attestation by the Taxpayer that:

(1) The project has substantially achieved the level of new full-time jobs specified in its Agreement.

(2) The project has substantially achieved the level of annual payroll in Illinois specified in its Agreement.

(3) The project has substantially achieved the level of capital investment in Illinois specified in its Agreement.

Section 5-60. Pass through entity.

(a) The shareholders or partners of a Taxpayer that is a Pass Through Entity shall be entitled to the Credit allowed under the Agreement.

(b) The Credit provided under subsection (a) is in addition to any Credit to which a shareholder or partner is otherwise entitled under a separate Agreement under this Act. A Pass Through Entity and a shareholder or partner of the Pass Through Entity may not claim more than one Credit under the same Agreement.

Section 5-65. Noncompliance; notice; assessment. If the Director determines that a Taxpayer who has received a Credit under this Act is not complying with the requirements of the Agreement or all of the provisions of this Act, the Director shall provide notice to the Taxpayer of the alleged noncompliance, and allow the Taxpayer a hearing under the provisions of the Illinois Administrative Procedure Act. If, after such notice and any hearing, the Director determines that a noncompliance exists, the Director shall issue to the Department of Revenue notice to that effect, stating the Noncompliance Date.

Section 5-70. Annual report. On or before July 1 each year, the Committee shall submit a report to the Department on the tax credit program under this Act to the Governor and the General Assembly. The report shall include information on the number of Agreements that were entered into under this Act during the preceding calendar year,

a description of the project that is the subject of each Agreement, an update on the status of projects under Agreements entered into before the preceding calendar year, and the sum of the Credits awarded under this Act. A copy of the report shall be delivered to the Governor and to each member of the General Assembly.

Section 5-75. Evaluation of tax credit program. On a biennial basis, the Department shall evaluate the tax credit program. The evaluation shall include an assessment of the effectiveness of the program in creating new jobs in Illinois and of the revenue impact of the program, and may include a review of the practices and experiences of other states with similar programs. The Director shall submit a report on the evaluation to the Governor and the General

Assembly after June 30 and before November 1 in each odd-numbered year.

Section 5-80. Adoption of rules. The Department may adopt rules necessary to implement this Act. The rules may provide for recipients of Credits under this Act to be charged fees to cover administrative costs of the tax credit program. Fees collected shall be deposited into the Economic Development for a Growing Economy Fund.

Section 5-85. The Economic Development for a Growing Economy Fund.

(a) The Economic Development for a Growing Economy Fund is established to be used exclusively for the purposes of this Act, including paying for the costs of administering this Act. The Fund shall be administered by the Department.

(b) The Fund consists of collected fees, appropriations from the General Assembly, and gifts and grants to the Fund.

(c) The State Treasurer shall invest the money in the Fund not currently needed to meet the obligations of the Fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited into the Fund.

(d) The money in the Fund at the end of a State fiscal year remains in the Fund to be used exclusively for the purposes of this Act. Expenditures from the Fund are subject to appropriation by the General Assembly.

Section 5-90. Program Terms and Conditions.

(a) Any documentary materials or data made available or received by any member of a Committee or any agent or employee of the Department shall be deemed confidential and shall not be deemed public records to the extent that the materials or data consists of trade secrets, commercial or financial information regarding the operation of the business conducted by the Applicant for or recipient of any tax credit under this Act, or any information regarding the competitive position of a business in a particular field of endeavor.

(b) Nothing in this Act shall be construed as creating any rights in any Applicant to enter into an Agreement or in any person to challenge the terms of any Agreement.

Section 5-105. The Civil Administrative Code of Illinois is amended by changing Section 46.62 as follows:

(20 ILCS 605/46.62) (from Ch. 127, par. 46.62)

Sec. 46.62. To establish and administer a Technology Challenge

Grant Program and an Illinois ~~Advanced~~ Technology Enterprise Development and Investment Program as provided by the Technology Advancement and Development Act and to expend appropriations in accordance therewith.
(Source: P.A. 86-870; 86-1028.)

Section 5-110. The State Finance Act is amended by adding Section 5.490 as follows:

(30 ILCS 105/5.490 new)

Sec. 5.490. The Economic Development for a Growing Economy Fund.

Section 5-115. The Illinois Income Tax Act is amended by adding Section 211 as follows:

(35 ILCS 5/211 new)

Sec. 211. Economic Development for a Growing Economy Tax Credit. For tax years beginning on or after January 1, 1999, a Taxpayer who has entered an Agreement under the Economic Development for a Growing Economy Tax Credit Act is entitled to a credit against the taxes imposed under subsections (a) and (b) of Section 201 of this Act in an amount to be determined in the Agreement. If the Taxpayer is a partnership or Subchapter S corporation, the credit shall be allowed to the partners or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704

and subchapter S of the Internal Revenue Code. The Department, in cooperation with the Department of Commerce and Community Affairs, shall prescribe rules to enforce and administer the provisions of this Section. This Section is exempt from the provisions of Section 250 of this Act.

The credit shall be subject to the conditions set forth in the Agreement and the following limitations:

(1) The tax credit shall not exceed the Incremental Income Tax (as defined in Section 5-5 of the Economic Development for a Growing Economy Tax Credit Act) with respect to the project.

(2) The amount of the credit allowed during the tax year plus the sum of all amounts allowed in prior years shall not exceed 100% of the aggregate amount expended by the Taxpayer during all prior tax years on approved costs defined by Agreement.

(3) The amount of the credit shall be determined on an annual basis; however, the credit against any State tax liability may not extend beyond 10 taxable years after the project is first approved and may not extend beyond the expiration of the Agreement.

(4) The credit may not exceed the amount of taxes imposed pursuant to subsections (a) and (b) of Section 201 of this Act. Any credit that is unused in the year the credit is computed may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one tax year that are available to offset a liability, the earlier credit shall be applied first.

(5) No credit shall be allowed with respect to any Agreement for any taxable year ending after the Noncompliance

Date. Upon receiving notification by the Department of Commerce and Community Affairs of the noncompliance of a Taxpayer with an Agreement, the Department shall notify the Taxpayer that no credit is allowed with respect to that Agreement for any taxable year ending after the Noncompliance Date, as stated in such notification. If any credit has been allowed with respect to an Agreement for a taxable year ending after the Noncompliance Date for that Agreement, any refund paid to the Taxpayer for that taxable year shall, to the extent of that credit allowed, be an erroneous refund within the meaning of Section 912 of this Act.

(6) For purposes of this Section, the terms "Agreement", "Incremental Income Tax", and "Noncompliance Date" have the same meaning as when used in the Economic Development for a Growing Economy Tax Credit Act.

Section 5-120. The Technology Advancement and Development Act is amended by changing Sections 1002, 1003, 1004, 2001, 2002, 2003, the Article 3 heading, Sections 3001, 3002, 3003, 3004.5 and 4003 and adding the Article 3.5 heading and Sections 3501, 3505, 3510, 3515, 3520, 3525, and 3530 as follows:

(20 ILCS 700/1002) (from Ch. 127, par. 3701-2)

Sec. 1002. Findings and declaration of policy. The General Assembly hereby finds that numerous economic challenges confront the State, including dramatic increases in foreign productivity and global market competition which have forced a retrenchment in key business sectors and a reduction in high paying manufacturing jobs which threaten to undermine Illinois' standard of living and quality of life. In order to avoid economic stagnation and decline, Illinois must keep pace with the global revolution in manufacturing technology that is occurring in virtually every major industrialized nation competing in the international marketplace.

The General Assembly further finds that an appropriate economic response would require increasing the level of investment in research and development; utilizing industry, State and local government, ~~and~~ labor, and academia to create state-wide programs; and fostering an improved environment for productivity and technological competitiveness. These various programs would utilize Illinois' present resources in many developing areas including health care and biomedical research, information and telecommunications, computing and electronic equipment, manufacturing technologies and materials research, transportation and aerospace, geoscience, financial and service industries, and agriculture and biotechnology.

It is the purpose of this Act to identify, develop and commercialize technology which will permit Illinois firms to successfully compete in today's world markets, and to authorize State and local government to promote systematically, within the provisions of this Act, those private sector and nonprofit research institution efforts that will serve as intermediaries to achieve the programs authorized under this Act; and continue to insure Illinois' economic vitality and competitiveness through (i) commercialization of new technology products; (ii) modernization of services by technology enterprises; and (iii) modernization of the industrial base of small and medium-sized manufacturers.

(Source: P.A. 86-870.)

(20 ILCS 700/1003) (from Ch. 127, par. 3701-3)

Sec. 1003. Definitions. The following words and phrases, for the purposes of this Act, shall have the meanings respectively ascribed to them, except when the context otherwise requires, or except as otherwise provided in this Act:

~~(a)~~ "Advanced technology project" means any area of basic or applied research or development which is designed to foster greater knowledge or understanding, or which is designed for the purposes of improving, designing, developing, prototyping, producing or commercializing new products, techniques, processes or technical devices in present or emerging fields of health care and biomedical research, information and communication systems, computing and computer services, electronics, manufacturing, robotics and materials research, transportation and aerospace, agriculture and biotechnology, and finance and services.

~~(b)~~ "Business expense" includes working capital financing, the purchase or lease of machinery and equipment, or the lease or purchase of real property, including construction, renovation, or leasehold improvements, but does not include refinancing current debt.

~~(c)~~ "Business project" means any specific economic development activity of a commercial, industrial, manufacturing, agricultural, scientific, financial, service or other not-for-profit nature, which is expected to yield an increase in jobs or to result in the retention of jobs or an improvement in production efficiency.

~~(d)~~ "Department" means the Illinois Department of Commerce and Community Affairs.

~~(e)~~ "Director" means the Director of the Illinois Department of Commerce and Community Affairs.

~~(f)~~ "Financial assistance" means a loan, investment, grant or the purchase of qualified securities or other means whereby financial aid is made to or on behalf of a business project or advanced technology project.

"Intermediary organization" means any participating organization including not-for-profit entities, for-profit entities, State development authorities, institutions of higher education, other public or private corporations, which may include the Illinois Coalition, or other entities necessary or desirable to further the

purpose of this Act engaged by the Department through any contract, agreement, memoranda of understanding, or other cooperative arrangement to deliver programs authorized under this Act.

"Investment loan" means any loan structured so that the applicant repays the principal and interest and provides a qualified security investment to serve both as additional loan security and as an additional source of repayment.

~~(g)~~ "Loan" means acceptance of any note, bond, debenture, or evidence of indebtedness, whether unsecured or secured by a mortgage, pledge, deed of trust, or other lien on any property, or any certificate of, receipt for, participation in, or an option to any of the foregoing. A loan shall bear such interest rate, with such terms of repayment, secured by such collateral, with other terms and

conditions, as the Department shall deem necessary or appropriate.

~~(h)~~ "Participating lender or investor" means any trust company, bank, savings bank, credit union, merchant bank, investment bank, broker, investment trust, pension fund, building and loan association, savings and loan association, insurance company, venture capital company or other institution, community or State development corporation, development authority authorized to do business by an Act of this State, or other public or private financing intermediary approved by the Department whose purposes include financing, promoting, or encouraging economic development financing.

~~(i)~~ "Qualified security investments" means any stock, convertible security, treasury stock, limited partnership interest, certificate of interest or participation in any profit sharing agreement, preorganization certificate or subscription, transferable share, investment contract, certificate of interest or participation in a patent or application or, in general, any interest or instrument commonly known as a "security" or any certificate for, receipt for, guarantee of, or option, warrant or right to subscribe to or purchase any of the foregoing, but not including any instrument which contains voting rights or which can be converted to contain voting rights in the possession of the Department.

(Source: P.A. 88-453.)

(20 ILCS 700/1004) (from Ch. 127, par. 3701-4)

Sec. 1004. Duties and powers. The Department of Commerce and Community Affairs shall establish and administer any of the programs authorized under this Act subject to the availability of funds appropriated by the General Assembly. The Department may ~~a Challenge Grant Program and an Advanced Technology Investment Program and shall~~ make awards from general revenue fund appropriations, federal reimbursement funds, the Technology Cooperation Fund, and the New Technology Recovery Fund as provided under the provisions of this Act. The Department, in addition to those powers granted under The Civil Administrative Code of Illinois, is granted the following powers to help administer the provisions of this Act:

(a) To provide financial assistance as direct or participation grants, loans or qualified security investments to, or on behalf of, eligible applicants. Loans, grants and investments shall be made for the purpose of increasing research and development, commercializing technology, adopting advanced production and processing techniques, and promoting job creation and retention within Illinois;

(b) To enter into agreements, accept funds or grants, and engage in cooperation with agencies of the federal government, local units of government, universities, research foundations or institutions, regional economic development corporations or other organizations for the purposes of this Act;

(c) To enter into contracts, ~~and letter of credit~~ agreements, and memoranda of understanding; and to provide funds for participation agreements or to make any other agreements or contracts

or to invest, grant, or loan funds to any participating intermediary organizations including, not-for-profit entities, for-profit entities, State agencies or authorities, government owned and contract operated facilities, institutions of higher education, other

~~lender, private investor,~~ public or private development corporations ~~corporation~~, or other entities ~~entity~~ necessary or desirable to further the purpose of this Act. Any such agreement or contract by an intermediary organization to deliver programs authorized under this Act may include terms and provisions including, but not limited to organization and development of documentation, review and approval of projects, servicing and disbursement of funds and other related activities;

(d) To fix, determine, charge and collect any premiums, fees, charges, costs and expenses, including without limitation, any application fees, commitment fees, program fees, financing charges, or publication fees in connection with the Department's activities under this Act;

(e) To establish forms for applications, notifications, contracts, or any other agreements, and to promulgate procedures, rules or regulations deemed necessary and appropriate;

(f) To establish and regulate the terms and conditions of the Department's agreements and to consent, subject to the provisions of any agreement with another party, to the modification or restructuring of any agreement to which the Department is a party;

(g) To require that recipients of financial assistance shall at all times keep proper books of record and account in accordance with generally accepted accounting principles consistently applied, with such books open for reasonable Department inspection and audits, including, without limitation, the making of copies thereof;

(h) To require applicants or grantees receiving funds under this Act to permit the Department to: (i) inspect and audit any books, records or papers related to the project in the custody or control of the applicant, including the making of copies or extracts thereof, and (ii) inspect or appraise any of the applicant's or grantee's business assets;

(i) To require applicants or grantees, upon written request by the Department, to issue any necessary authorization to the appropriate federal, State or local authority for the release of information concerning a business or business project financed under the provisions of this Act, with the information requested to include, but not be limited to, financial reports, returns, or records relating to that business or business project;

(i-5) To provide staffing, administration, and related support required to manage the programs authorized under this Act and to pay for staffing and administration from the New Technology Recovery Fund as appropriated by the General Assembly. Administrative responsibilities may include, but are not limited to, research and identification of the needs of commerce and industry in this State; design of comprehensive statewide plans and programs; direction, management, and control of specific projects; and communication and cooperation with entities about technology commercialization and business modernization;

(j) To take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure or noncompliance with the terms and conditions of financial assistance or participation required under this Act, including the power to sell, dispose, lease or rent, upon terms and conditions determined by the Director to be appropriate, real or personal property which the Department may receive as a result thereof; and

(k) exercise such other powers as are necessary to carry out

the purposes of this Act.
(Source: P.A. 88-453.)

(20 ILCS 700/2001) (from Ch. 127, par. 3702-1)

Sec. 2001. Technology Challenge Grant Program.

(a) The Department may ~~shall~~, subject to appropriated funds, establish a Technology Challenge Grant Program to provide initial grant funding requirements to help secure federal research and development projects for this State and to identify and develop technology programs capable of commercialization or establish one or more programs authorized under this Article as part of its Technology Challenge Grant Program Initiative to serve as a catalyst and assure a strong base to develop, transfer, or commercialize new technologies. The Department shall, pursuant to Section 2003 of this Article, evaluate which grant applications best serve the economic and technological objectives of the State.

(b) Grants shall be awarded from appropriations made for that purpose to: (i) universities, colleges, community colleges, nonprofit research foundations or laboratories, State research institutions, industry technology associations, ~~or~~ (ii) technology partnerships or technology consortiums established by a formal joint project agreement between: (1) two or more private industries, or (2) any combination of one or more private industries with one or more universities, colleges, community colleges, nonprofit research laboratories, nonprofit research foundations, or State research institutions, or (iii) any private enterprise developing or commercializing technology or leveraging federal technology development financing, including, but not limited to, the small business innovative research program.
(Source: P.A. 88-453.)

(20 ILCS 700/2002) (from Ch. 127, par. 3702-2)

Sec. 2002. Grant purposes.

(a) Grants authorized under this Article shall be awarded only for the following purposes: (i) applied innovation research that provides initial grant funding to help serve critical research and development projects to respond to unique, advanced technology projects ~~for which no other source of funding is available~~ and which foster the development of Illinois' economy through the advancement of the State's economic, scientific, and technological assets, or which are recognized as technology programs of exemplary and outstanding research in the field of science and technology; or ~~(ii)~~ to assist eligible applicants in the State apply for, or qualify for and leverage, federal funds awarded for advanced technology projects concerning research and development, business innovation research or technical development, or the transfer of useful technology to the private sector; (ii) university and industry partnerships that create high-skill employment opportunities and internship activities in the communities that enable graduates and faculty to stay in Illinois and university and industry initiatives that strengthen the relationship between industry and academia in Illinois so that applied university research is responsive to the needs of the various state industries and industry clusters; (iii) centers of excellence in technology commercialization, innovation evaluation, and intellectual property

management that encourages the growth of new enterprises based on technologies developed at Illinois research centers including ~~to fund~~ technology partnerships, technology consortiums or research centers and industry technology associations that are, or will be, established to perform research and development in present and emerging technologies that can be developed for use by commerce and industry; and (iv) ~~, or to transfer~~ technology transfer projects involving promotion of new or innovative technologies among small and medium-sized Illinois manufacturers where the technologies have

immediate commercial application; ~~and conduct~~ training and information dissemination that is directly applicable to small and medium-sized Illinois manufacturer needs; or information transfer to Illinois based research institution regarding best practice in industrial commercialization of technology developments; (v) planning and operational support for statewide support that improve practices in technology commercialization including ~~and (iv) to assist in the~~ needs assessment and evaluation of the status of technology implementation throughout the State.

(b) Grants awarded pursuant to this Article may be used to help subsidize expenses, as approved by the Department, for capital improvements, equipment, contractual services, commodities, personnel, support costs, including telecommunication, electronic data and commodities, or other costs.

(Source: P.A. 88-453.)

(20 ILCS 700/2003) (from Ch. 127, par. 3702-3)

Sec. 2003. Grant evaluation and amounts.

(a) The Department shall evaluate grant applications based upon criteria provided under this Section. The Department shall not award any Challenge Grant that is not recommended for funding by the Illinois ~~Governor's~~ Science and Technology Advisory Committee and the Illinois ~~or associated private sector~~ Coalition. In determining which grant applicants shall be awarded a Challenge Grant, the Department shall conduct an evaluation of prior compliance with loan or grant agreements for any grant applicant previously funded by the Department. In addition, the Department shall consider the following criteria in determining grant awards: the relationship of a proposed advanced technology project to the State's future economic growth; the qualifications and expertise of consultants, firms or organizations undertaking the effort; the potential for leveraging federal or private research dollars, or both, for the initiative; the extent of the capacity of the applicant or the applicant partnership or consortium to finance the initiative; the potential for adapting, commercializing or adopting the results of the applicant's project for the economic benefit of the State; and the likelihood that the project has a potential for creating new jobs or retaining current jobs in the State.

(b) The Director of the Department shall determine the level of the grant award and shall determine the share of total directly attributable costs of an advanced technology project which may be considered for funding under this Article.

(c) The Department and the Department of Natural Resources are hereby authorized to cooperate with and provide support to the

Illinois ~~Governor's~~ Science and Technology Advisory Committee and the Illinois ~~its associated private sector~~ Coalition. Such support may include the provision of office space and may be technical, advisory or operational in nature.
(Source: P.A. 89-445, eff. 2-7-96; revised 12-2-98.)

(20 ILCS 700/Art. 3 heading)

ARTICLE 3. ILLINOIS ~~ADVANCED~~ TECHNOLOGY ENTERPRISE DEVELOPMENT AND INVESTMENT PROGRAM

(20 ILCS 700/3001) (from Ch. 127, par. 3703-1)

Sec. 3001. Illinois ~~Advanced~~ Technology Enterprise Development and Investment Program. The Department shall, subject to appropriated funds, establish an Advanced Technology Enterprise Development ~~Investment~~ Program to: (i) provide investments, loans, or qualified security investments to or on behalf of young or growing businesses, in cooperation with private investment companies, private investors or conventional lending institutions which also assume a portion of the investment loan or financing for a business project, or on behalf of new or emerging business through financial

intermediaries as they commercialize advanced technology projects; (ii) fund regional technology enterprise development centers that make available resources and expertise in furthering the technical or managerial skills of owners; aid the ventures in locating financing; and help new companies with product development and marketing ~~provide loans to, or on behalf of, the State's mature, small or medium-sized businesses for the modernization and installation of advanced technologies or processes which will improve the business' production systems and work organization, which in turn will preserve and create private sector jobs by increasing the firm's long-term competitive viability; (iii) provide grants to, or on behalf of, Illinois' mature, small or medium-sized businesses undertaking feasibility studies, competitiveness assessments and productivity audits to restore their businesses' competitiveness; and (iv) provide qualified investments, loans or grants to development credit corporations, financial intermediaries or other entities whose purpose includes financing, promoting or encouraging commercialization, adoption or implementation of advanced technologies, processes or products~~.
(Source: P.A. 86-870.)

(20 ILCS 700/3002) (from Ch. 127, par. 3703-2)

Sec. 3002. Investment requirements. Any direct financial assistance shall:

(a) Be awarded only if other financing with respect to the business project is provided. Other financing may be in the form of any loan, equity position, convertible preferred stock, letter of credit, guarantee, limited partnership interest, bond purchase or any other form approved by the Department;

(b) Be protected by adequate security. Financial assistance may be secured by first or second mortgage positions on real or personal property, by royalty payments, by personal notes or guarantees, or by any other security satisfactory to the Department to secure repayment, if required, by the financial assistance agreement;

(c) Be in such principal amount and form, and contain such terms and provisions with respect to the property, insurance, repairs,

alteration, payment of taxes and assessments, delinquency charges, default remedies, additional security and other matters as the Department shall determine adequate to protect the public interest.
(Source: P.A. 88-453.)

(20 ILCS 700/3003) (from Ch. 127, par. 3703-3)

Sec. 3003. Applications.

(a) An application for direct financial assistance shall be submitted to the Department in accordance with forms and filing fees prescribed by the Department. The application may require facts about the company's history, job opportunities, stability of employment, past and present condition and structure, actual and pro-forma income statements, present and future market prospects and management qualification, and any other facts deemed material to the financing request. The Department shall obtain such additional information concerning the application as it deems necessary and diligent.

The Department may create a credit review committee which shall, on the basis of the application, and any other information, prepare a report concerning the credit-worthiness of the proposed borrower, the financial commitment of other investors, the manner in which the proposed business project will advance the economy of the State, and the soundness of the proposed financial assistance agreement.

After consideration of such report, and after such other action as it deems appropriate, the Department shall approve or deny the application. If the Department approves the application, its approval shall specify the amount of funds to be provided and the financial assistance agreement provisions which shall apply to the

applicant. The applicant shall be promptly notified of such action by the Department.

(b) The Department may, subject to available appropriated funds, provide grants or investments in revolving fund portfolios with intermediary organizations or participating lenders or investors. The financial assistance may be made be available to intermediaries that assume a responsibility for the administration of the projects funded through the grant or investment.

Applications shall be submitted to the Department in accordance with forms and filing fees prescribed by the Department. The application may require facts about the intermediary's history, past, and present condition and structure, actual, and pro-forma income statements, present and future market prospects and management qualification, and any other facts deemed material to the financing request.
(Source: P.A. 86-870.)

(20 ILCS 700/3004) (from Ch. 127, par. 3703-4)

Sec. 3004. Investment purpose.

(a) Direct qualified investments, loans, or participation investments in ~~loan and~~ investment or loan portfolios ~~with financial intermediaries~~ authorized by this Article ~~1~~ of this Act may be made for the purpose of financing any new process, technique, product, service or device which is, or which may be, capable of being reduced to practice, and which is, or which may be, commercially exploitable by (i) young ~~new~~ or growing Illinois businesses or (ii) ~~to help~~

applicants who have qualified for Federal Small Business Innovation Research funds.

Financial assistance proceeds may be used for expenses that include, but are not limited to, costs incurred for research and development, amortizable organizational costs, working capital financing, the purchase or lease of machinery and equipment, and the acquisition, improvement or rehabilitation of land and buildings. In determining if direct ~~or participation~~ qualified security investments or loans are to be made, the Department shall find that there is a likelihood of commercial feasibility given the state of development of the proposed product, process, or technical device, and that there is a likelihood of increased job opportunities in the near term as a result of the security investment. Direct qualified security investments or investment loans ~~the Department's participation in the qualified security investment or loan portfolio of an authorized financial intermediary~~ for an eligible applicant shall not be made for more than $500,000 and shall not be made for more than 50% of the business project costs unless the Director determines that a waiver of these limits is required to meet the purpose of this Act. In making a determination to participate in an ~~the qualified security~~ investment or loan portfolio of an authorized participating lender or investor ~~financial intermediary~~ on behalf of eligible applicants, the Department shall find that the administering financial intermediary is capable of effectively evaluating the commercialization feasibility of the proposed product, process, service or technical device technology and the likelihood of increased job creation impact that may result from project financing. In no instance shall the Department's participation in an ~~the qualified~~ investment or ~~and~~ loan portfolio of any authorized participating lender or investor ~~financial intermediary~~ exceed $2,000,000 at one time.

(b) A loan made for company modernization or retooling may be for any purpose consistent with the objectives of this Act including, but not limited to, purchases of advanced machinery, equipment and tooling; organizational expenses for services, personnel training, corporate restructuring; working capital; acquisition, improvement or rehabilitation of land and buildings which are an integral part of a

new production or process technology; or any other business expense reasonably related to the project. In determining if a loan is to be provided, the Department shall determine whether there will be an expected improvement in production levels, quality of output or timeliness of delivery and that the number of jobs to be created or retained is reasonable in relation to the loan funds requested. A loan to eligible applicants for modernization or retooling shall not be made for more than $500,000 or for more than 25% of the business project costs unless the Director of the Department determines that a waiver of these limits is required to meet the purposes of this Act.

(c) Grants may be made for the purpose of financing feasibility studies, competitive assessments or productivity services which the Department determines may result in technology enhancement, retooling, restructuring or other competitiveness improvements. In determining the amount of a grant, the Department shall: (i) examine the level of expertise of the consultant or firm undertaking the

feasibility study or competitive assessment; (ii) evaluate the likelihood of an applicant's proposed feasibility study or competitive assessment resulting in a substantial improvement in the applicant's operations; (iii) determine whether that improvement will result in the creation or retention of jobs. Grants to eligible applicants shall not exceed $100,000 or 50% of the project costs unless the Director of the Department determines that a waiver of these limits is required to meet the purposes of this Act.
(Source: P.A. 88-453.)

(20 ILCS 700/3004.5 new)

Sec. 3004.5. Illinois Technology Enterprise Centers Requirements.

(a) The Department may, subject to available appropriated funds, working with the Illinois Coalition, establish one or more regional technology enterprise development centers whose mission is to assist entrepreneurs, innovators, and start-up firms in high-growth, high technology sectors in furthering the technical or managerial skills of owners; aid the ventures in locating financing; and help new companies with product development and marketing in support of new venture formation within the State.

(b) The Department may provide grants or may provide cost share or reimbursements pursuant to this Section to support the operation of technology enterprise development centers. Grants awarded pursuant to this Article may be used to help subsidize expenses, as approved by the Department, for revolving funds, personnel, support costs, capital improvements, equipment, contractual services, commodities, including telecommunication or other costs.

(c) Technology enterprise development centers may provide crucial business information at affordable prices for firms that are developing early-stage, technology-oriented manufacturing including (i) general or short-term assistance, general outreach, feasibility studies for new venture formation, and research assistance for new venture creation; (ii) innovation evaluation and market research to evaluate the viability of technology, product, or service or the market potential of technology, product, or service; (iii) technical assistance related to management and operations and strategic partnering and assistance in the implementation of strategic manufacturing and marketing alliances; and (iv) service in locating new technologies or technological solutions.

(d) Technology enterprise development centers may provide financial services that include (i) financial packaging to enhance proposals and make companies more competitive for federal or private funding; (ii) access to private investor capital through venture capital events and regional venture capital networking programs; and (iii) management of local for-profit or limited profit seed capital funds.

(e) Technology enterprise development centers may address local shortfalls of capital to commercialize new technology by providing pre-seed financing to start-up, technology-based businesses. Financing options could include micro-loans, small grants, and equity investment capital for seed funding, product commercialization and prototype development, and commercial introduction and marketing.

(f) The Department may provide grant funds made available to

support professional development and capacity building of the technology enterprise development centers within the State as may be required for the administration, operations, research, analysis, or training of the centers.

(g) In determining which applicants shall be awarded a grant, the Department shall conduct an evaluation of prior compliance with loan or grant awards; the relationship of a proposed project to the State's future economic growth; the qualifications and expertise of organizations undertaking the effort; the applicants understanding of the requirements and needs of entrepreneurs, innovators, and start-up firms in high-growth, high technology sectors; the potential of the applicant's project to provide an economic benefit of the State; and the likelihood that the project has a potential for creating new ventures in the State.

(h) The Director of the Department shall determine the level of the grant award and shall determine the share of total directly attributable costs of the project that may be considered for funding under this Article.

(20 ILCS 700/Art. 3.5 heading new)

ARTICLE 3.5. BUSINESS MODERNIZATION INITIATIVE

(20 ILCS 700/3501 new)

Section 3501. Business Modernization Initiative. The Department may create one or more programs under this Article to assist the State's existing mature business and industry base to adopt and use appropriate technologies. The programs may vary in breadth of activities, services, and projects in accordance with the level or complexity of the manufacturers' needs or problems. The Department's programs shall emphasize the provision of comprehensive assistance.

(20 ILCS 700/3505 new)

Section 3505. Modernization Retooling Loan Program.

(a) The Department may establish, subject to available appropriated funds, a loan program that will improve businesses' production systems and work organization to preserve and create private sector jobs by increasing the firms' long-term competitive viability. The program may provide loans to, or on behalf of, the State's mature, small, or medium-sized businesses for the modernization and installation of advanced technologies or processes.

(b) A loan made for company modernization or retooling may be for any purpose consistent with the objectives of this Act including, but not limited to, purchases of advanced machinery, equipment, and tooling; organizational expenses for services, personnel training, and corporate restructuring; working capital; acquisition, improvement, or rehabilitation of land and buildings that are an integral part of a new production or process technology; or any other business expense reasonably related to the project. No loan made by the Department shall be used to pay for the retirement of previous debt unless the debt is a part of the purchase or lease of machinery or equipment that is being upgraded.

(c) In determining if a loan is to be provided, the Department shall determine whether there will be an expected improvement in production levels, quality of output, or timeliness of delivery and that the number of jobs to be created or retained is reasonable in relation to the loan funds requested. A loan to an eligible applicant for modernization or retooling shall not be made for more

than $500,000 or for more than 25% of the business project costs unless the Director determines that a waiver of these limits is required to meet the purposes of this Act.

(20 ILCS 700/3510 new)

Section 3510. Development Corporation Program.

(a) The Department may provide, subject to available appropriated funds, financial assistance to the State's mature, small, or medium-sized businesses through development corporations that assume a responsibility for the administration of the loan projects for the modernization and installation of advanced technologies.

(b) Development corporation financial assistance may be in the form of direct loans, grants, or purchases of qualified securities or financial assistance. Development credit corporations, financial intermediaries, or other entities whose purpose includes financing, promoting, or encouraging commercialization, adoption, or implementation of advanced technologies, processes, or products, as determined by the Department, may participate in this program.

(c) Financial assistance authorized under this Section shall be used by the development corporation for loans or investments to firms to improve the business's production systems and work organization that will preserve and create private sector jobs by increasing the firm's long-term competitive viability and may be used for the planning and operation of the development corporation as approved by the Department through its agreement with the development corporation.

(d) The Department is authorized to rely upon, and may provide for in the execution of an agreement, the participating lender's or investor's review on behalf of the State and approval of the credit, collateral security, and documentation; determination of eligibility, economic results expected, and the prospects for viability and repayment; the collection and use of fees, premiums, or charges; the organization, servicing, and disbursement of financial assistance; and such other purposes and activities as the Department, in its sole discretion, shall determine to be reasonable, appropriate, and consistent with the purposes of this Article.

(20 ILCS 700/3515 new)

Section 3515. Modernization grants.

(a) Subject to available appropriated funds, modernization grants may be made for the purpose of financing, competitive assessments, or productivity improvement services that the Department determines may result in technology enhancement, retooling, restructuring, or other competitiveness improvements. Grants may be made to, or on behalf of, Illinois' mature, small, or medium-sized businesses for (i) undertaking feasibility studies, competitiveness assessments, and productivity audits to restore their businesses' competitiveness or (ii) the modernization and installation of advanced manufacturing systems or processes that will improve the businesses' production systems and work organization, or will preserve and create private sector jobs by increasing the firms' long-term competitive viability.

(b) Assistance authorized under this Section may be in the form of direct grant agreements, agreements with private sector consultants on behalf of a firm, or agreements with participating intermediary organizations as authorized under Article 1.

(c) In determining the amount of a modernization grant, the

Department shall: (i) examine the level of expertise of the consultant or firm undertaking the competitiveness assessment or productivity improvement services; (ii) evaluate the likelihood of an applicant's proposed competitiveness assessment or productivity improvement services resulting in a substantial improvement in the applicant's operations; and (iii) determine whether improvement will

result in the creation or retention of jobs. Modernization grants to eligible applicants shall not exceed $100,000 or 50% of the project costs, unless the Director determines that a waiver of these limits is required to meet the purposes of this Act.

(20 ILCS 700/3520 new)

Section 3520. Manufacturing Extension Program.

(a) The Department may establish, subject to available appropriated funds, a program of statewide manufacturing extension centers serving the geographic needs of the State's manufacturers, whose mission is to assist small or medium-sized manufacturers with technological advancement, for continuous improvement of business practices for these firms to be better positioned to succeed against global competition.

(b) The Department may provide grants or may provide cost share or reimbursements under this Section to support the operation of manufacturing extension deliverers, including organizations financed through a federal manufacturing extension partnership program. Manufacturing extension deliverers can include universities and colleges, regional or sectorial based organizations, technical societies, or other similar groups.

(c) The Department may provide grant funds made available under this Act to support professional development and capacity building of the manufacturing extension system within the State as may be required for the administration, operations, research, analysis, promotion, or training of geographic based manufacturing extension centers.

(d) In determining which applicants shall be awarded a grant, the Department shall conduct an evaluation of prior compliance with awards programs; the relationship of a proposed project to the State's future economic growth; the qualifications and expertise of organizations undertaking the effort; the applicant's understanding of the requirements and needs of the target groups served; the potential of the applicant's project to provide an economic benefit of the State; the methods engaged to measure and track performance; and the likelihood that the project has a potential for improving the competitiveness of small and mid-sized manufacturers.

(20 ILCS 700/3525 new)

Sec. 3525. Manufacturing and Export Base Services.

(a) The Department may, subject to available appropriated funds, establish a program of statewide assistance to the manufacturing and services export base of the State serving the sector-wide needs of small and medium-sized companies.

(b) The Department may provide grants, cost share funds, or reimbursements: to State or substate programs providing better access to information; to reduce the impediments to the flow of technical information; and to provide Illinois manufacturers,

producer firms, and export services firms with better or more timely access to the State's and the nation's technology base, including industrial and engineering consulting practices, university and research laboratory based engineers, private commercial product vendors, and other sources of technology or non-technology services.

(c) The Department may provide grants to those private, public, and non-profit research institutions and organizations that agree to serve as an intermediary to achieve the purpose set forth in this Section that continues to ensure Illinois' economic vitality and competitiveness.

(d) The Department may seek out applicants that may be considered for a grant, and may provide an award based on the qualifications and expertise of organizations undertaking the effort, the applicants understanding of the requirements and needs of the target groups served, and the likelihood that the proposed project

will improve the State's future economic potential.

(20 ILCS 700/3530 new)

Sec. 3530. Eligible applicants; forms of assistance. Financial assistance may be made to, or on behalf of, any for-profit entity, sole proprietorship, partnership, corporation, or joint venture carrying on business, or organized to carry on business, in this State. Financial assistance authorized under this Article may be made available to not-for-profit organizations, including educational agencies, business or trade associations, economic development organizations, and participating lenders, in the form of participation agreements, direct loans, grant agreements, purchases of qualified security, or any other form as determined by the Department.

(20 ILCS 700/4003) (from Ch. 127, par. 3704-3)

Sec. 4003. Federal programs. The Department is authorized to accept and expend federal monies in furtherance of this Act and to use funds appropriated under this Act for programs pending reimbursement from federal funds, except that the terms and conditions established under this Act, which are inconsistent with or prohibited by the federal authorization under which such monies are made available, shall not apply with respect to the expenditure of such monies.

(Source: P.A. 86-870.)

ARTICLE 10.

Section 10-5. The Civil Administrative Code of Illinois is amended by changing Section 46.32a as follows:

(20 ILCS 605/46.32a) (from Ch. 127, par. 46.32a)

Sec. 46.32a. Labor-management-community relations.

(a) Because economic development investment programs must be supplemented with efforts to maintain a skilled, stable, and diverse workforce able to meet the needs of new and growing business enterprises, the Department shall promote better labor-management-community and government operations by providing ~~labor-management relations and provide~~ assistance in the development of local labor-management-community ~~labor-management~~ committees and coalitions established to address employment issues facing families and by helping Illinois current and prospective employers attract and

retain a diverse and productive workforce through the promotion and support of dependent care policies and programs in the workplace and community.

In the Department there shall be a Labor-Management-Community ~~Labor-Management~~ Cooperation Committee composed of 18 ~~12~~ public members appointed by the Governor with the advice and consent of the Senate. Six members shall represent executive level management of businesses, ~~that employ labor union members and~~ 6 members shall represent major labor union leadership, and 6 members shall represent community leadership. The Governor shall designate 1 business representative and 1 labor representative as cochairmen. Appointed members shall not be represented at a meeting by another person. There shall be 9 ex officio ~~6 ex officio~~ nonvoting members: the Director of the Department, who shall serve as Secretary, the Director ~~of the Department~~ of Labor, the Secretary of Human Services, the Director of Public Health, the Director of Employment Security, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives and the Minority Leader of the House of Representatives. Each ex officio member shall serve during the term of his or her office. Ex officio members may be represented by duly authorized substitutes.

In making the initial public member appointments to the Committee, 3 of the business representatives and 3 of the labor union representatives shall be appointed for terms expiring July 1, 1987.

The remaining public members shall be appointed for terms expiring July 1, 1988. The public members appointed under this amendatory Act of the 91st General Assembly shall be divided into 2 groups with the first group having terms that expire on July 1, 2002 and the second group having terms that expire on July 1, 2003. Thereafter, public members of the Committee shall be appointed for terms of 2 years expiring on July 1, or until their successors are appointed and qualified. The Governor may at any time, with the advice and consent of the Senate, make appointments to fill vacancies for the balance of an unexpired term. Public members shall serve without compensation, but shall be reimbursed by the Department for necessary expenses incurred in the performance of their duties. The Department shall provide staff assistance to the Committee.

The Committee shall have the following duties:

(1) to improve communications between labor, ~~and~~ management, and communities on significant economic problems facing the State especially with respect to identifying new ways to attract and retain employees and provide an environment in which employees can do their best work;

(2) to encourage and support the development of local labor, management, and community ~~labor-management~~ committees at the plant, industry and area levels across the State and encourage and support the development of local coalitions to support the implementation of family-friendly policies in the workplace;

(3) to assess the progress of area labor-management-community ~~labor-management~~ committees and local coalitions that have been formed across the State and provide

input to the Governor and General Assembly ~~Director of the Department~~ concerning ~~matching grants to area labor-management committees or other~~ grant programs established in this Act;

(4) to convene a Statewide conference on labor-management-community ~~labor-management~~ concerns at least once every 2 years and to convene a series of regional work, family, and community planning conferences throughout the State for employers, unions, and community leaders to form local coalitions to share information, pool resources, and address work and family concerns in their own communities;

(5) to issue a report on labor-management-community and employment-related family ~~labor-management~~ concerns to the Governor and the General Assembly every 2 years ~~commencing in March of 1987~~. This report shall outline the accomplishments of the Committee and specific recommendations for improving Statewide labor-management-community ~~labor-management~~ relations and supporting the adoption of family-friendly work practices throughout the State;~~.~~

(6) to advise the Department on dependent care and other employment-related family initiatives; and

(7) to advise the Department on other initiatives to foster maintenance and development of productive, stable, and diverse workforces to supplement and advance community and State investment-based economic development programs.

(b) The Director, with the advice of the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee, shall have the authority to provide grants to employee coalitions or other coalitions that enhance or promote work and family programs and address specific community concerns, and to provide matching grants, grants and other resources to establish or assist area labor-management-community ~~labor-management~~ committees and other projects which serve to enhance labor-management-community ~~labor-management~~ relations. The Department shall have the

authority, with the advice of the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee, to award grants or matching grants in the following ~~four~~ areas:

(1) To provide ~~At least 60 percent of the annual appropriation to the Department, for providing labor-management grants and resources shall be awarded as~~ matching grants to existing local labor-management-community ~~labor-management~~ committees. To be eligible for matching grants pursuant to this subsection, local labor-management-community ~~labor-management~~ committees shall:

(i) Be a formal, not-for-profit organization structured for continuing service with voluntary membership;

(ii) Be composed of labor, ~~and~~ management, and community representatives;

(iii) Service a distinct and identifiable geographic region;

(iv) Be staffed by a professional chief executive officer;

(v) Have been established with the Department for at

least 2 ~~two~~ years;

(vi) Operate in compliance with rules set forth by the Department with the advice of the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee; and

(vii) Ensure that its efforts and activities are coordinated with relevant agencies, including but not limited to the following:

Department of Commerce and Community Affairs

Illinois Department of Labor

Economic development agencies

~~Corridor councils~~

Planning agencies

Colleges, universities and community colleges

U.S. Department of Labor

Statewide Job Training Partnership Act entities or any successor federal workforce training and development legislation.

Further, the purpose of the local labor-management-community ~~labor-management~~ committees will include, but not be limited to:

(i) Enhancing the positive labor-management-community ~~labor-management~~ relationship within the State, region, community and/or work place;

(ii) Assisting in the retention, expansion and attraction of businesses and jobs within the State through special training programs, gathering and dissemination of information and providing assistance in local economic development efforts as appropriate;

(iii) Creating and maintaining a regular nonadversarial forum for ongoing dialogue between labor, ~~and~~ management, and community representatives to discuss and resolve issues of mutual concern outside the realm of the traditional collective bargaining process;

(iv) Acting as an intermediary for initiating local programs between unions and employers which would generally improve economic conditions in a region;

(v) Encouraging, assisting and facilitating the development of work-site and industry labor-management-community ~~labor-management~~ committees in the region.

Any local labor-management-community ~~labor-management~~ committee meeting these criteria may apply to the Department for annual matching grants, provided ~~providing~~ that the local

committee contributes at least 25 percent in matching funds, of which no more than 50 percent shall be "in-kind" services. Funds received by a local committee pursuant to this subsection shall be used for the ordinary operating expenses of the local committee.

(2) To provide ~~Up to 20 percent of the annual appropriation to the Department for providing labor-management grants and resources may be awarded as~~ matching grants to local labor-management-community ~~labor-management~~ committees which do not meet all of the eligibility criteria set forth in subsection

(1). However, to be eligible to apply for a grant under this subsection, the local labor-management-community ~~labor-management~~ committee, at a minimum, shall:

(i) Be composed of labor, ~~and~~ management, and community representatives;

(ii) Service a distinct and identifiable geographic region;

(iii) Operate in compliance with the rules set forth by the Department with the advice of the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee;

(iv) Ensure that its efforts and activities are directed toward enhancing the labor-management-community ~~labor-management~~ relationship within the State, region, community and/or work place.

Any local labor-management-community ~~labor-management~~ committee meeting these criteria may apply to the Department for an annual matching grant, provided ~~providing~~ that the local committee contributes at least 25 percent in matching funds of which no more than 50 percent shall be "in-kind" services. Funds received by a local committee pursuant to paragraph (2) of subsection (b) of this Section shall be used for the ordinary and operating expenses of the local committee. Eligible committees shall be limited to three years of funding under this subsection. With respect to those committees participating in this program prior to enactment of this amendatory Act of 1988 which fail to qualify under paragraph (1) of subsection (b) of this Section, previous years' funding shall be counted in determining whether those committees have reached their funding limit under this paragraph (2).

(3) To provide ~~Up to 10 percent of the annual appropriation to the Department for providing labor-management grants and resources may be awarded as~~ grants to develop and conduct specialized education and training programs of direct benefit to representatives of labor, management, labor-management-community ~~labor-management~~ committees and/or their staff. The type of education and training programs to be developed and offered will be determined and prioritized annually by the Department, with the advice of the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee. The Department will develop and issue an annual request for proposals ~~proposal~~ detailing the program specifications.

(4) To provide ~~Up to 10 percent of the annual appropriation to the Department for providing labor-management grants and resources may be awarded as~~ grants for research and development projects related to labor-management-community or employment-related family ~~labor-management~~ issues. The Department, with the advice of the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee, will develop and prioritize annually the type and scope of the research and development projects deemed necessary.

(5) To provide grants of up to a maximum of $5,000 to

support the planning of regional work, family, and community planning conferences that will be based on specific community concerns.

(6) To provide grants to initiate or support recently created employer-led coalitions to establish pilot projects that promote the understanding of the work and family issues and support local workforce dependent care services.

The Department is authorized to establish applications, application procedures and promulgate any rules deemed necessary in the administration of such grants.

(c) To administer the grant programs created by this Act, the Department shall establish an Office of Work and Family Issues ~~Labor-Management Cooperation~~. The purpose of this office shall include, but not be limited to:

(1) To administer the grant programs, including developing grant applications and requests for proposals ~~proposal~~, program monitoring and evaluation.

(2) To serve as State liaison with other state, regional and national organizations devoted to promoting labor-management-community ~~labor-management~~ cooperation and employment-related family issues; disseminating pertinent information secured through these state, regional and national affiliations to local labor-management-community ~~labor-management~~ committees, the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee, employer coalitions, Illinois Employment and Training Centers, and other interested parties throughout the State.

(3) To provide technical assistance to area, industry or work-site labor-management-community ~~labor-management~~ committees as requested.

(4) To serve as a clearinghouse for information related to labor-management-community ~~labor-management~~ cooperation.

(5) To serve as a catalyst to developing and strengthening a partnership among local, state, regional and national organizations and agencies devoted to enhancing labor-management-community ~~labor-management~~ cooperation and employment-related family issues.

(6) To provide any other programs or services which enhance labor-management-community ~~labor-management~~ cooperation or that may promote the adoption of family-friendly workplace practices at companies located within the State of Illinois as determined by the Director with the advice of the Labor-Management-Community ~~Labor-Management~~ Cooperation Committee.

(7) To establish an Illinois Work and Family Clearinghouse to disseminate best-practice work and family policies and practices throughout the State, including through the Illinois Employment and Training Centers; to provide and develop a computerized database listing dependent care information and referral services; to help employers by providing information about options for dependent care assistance, to conduct and compile research on elder care, child care, and other employment-related family issues in Illinois; and to compile and disseminate any other information or services that support the adoption of family-friendly workplace practices at companies located in the State.

(Source: P.A. 88-456; revised 10-31-98.)

ARTICLE 15.

Section 15-1. Short Title. This Article may be cited as the Illinois Business Regulatory Review Act.

Section 15-5. Purpose. The General Assembly finds that small

businesses and their growth are critical to the economic health of the State. Small business, more so than larger firms, often need assistance to negotiate through complex government forms, rules, and regulations. The current overall business climate of the State would be made more attractive and competitive and would otherwise benefit from reductions in unnecessarily burdensome rules and regulations. A formal method to generate private sector analysis, input, and guidance on methods of regulatory review for the Governor and executive agencies, the constitutional offices, and the General Assembly is needed for this purpose.

Section 15-10. Illinois Economic Development Board responsibilities. In addition to its duties under the Civil Administrative Code of Illinois and the Illinois Economic Development Board Act, the Illinois Economic Development Board shall form a Business Regulatory Committee to generate private sector analysis, input, and guidance on methods of regulatory assistance and review.

Section 15-15. Economic Development Board Regulatory Committee membership. Membership, composition, bylaws, and methods of operation of the Committee shall be determined by the Board. At the determination of the Board, individual small business owners and operators; national, State, and regional organizations representative of small firms; and representatives of existing State or regional councils of business may be designated as members of this Business Regulatory Committee.

Section 15-20. Regulatory policy responsibilities of the Committee. In addition to those duties and responsibilities as directed by the Board, the Committee shall analyze, determine, and report to the Board, so that the Board may report to the Governor and executive agencies under the control of the Governor, the constitutional offices, and the General Assembly, overall methods of achieving greater small business impact of the regulatory process the following information:

(1) Identify specific ways in which existing regulations and regulatory programs can be made more responsive and responsible to small business.

(2) Identify more effective ways of eliciting participation from the private sector in efforts to simplify and clarify regulations so that they are not overly complex or burdensome.

(3) Provide suggestions for involving small business owners and their representatives in the rulemaking process in a more meaningful way.

(4) Provide constructive suggestions for reducing forms and paperwork particularly where they are duplicative, overly complicated, or otherwise burdensome for small business.

(5) Determine effective ways to communicate with small business owners and to assist them in their understanding and implementation of complex regulations.

(6) Recommend non-punitive methods of ensuring compliance with regulatory objectives or requirements including

pre-inspection programs, advisory services, education and training, and industry self-regulation.

Section 15-25. Regulatory review responsibilities of the Business Regulatory Review Committee. At the direction and request of the Board, the Committee shall review and analyze regulations and make specific recommendations, from the perspective of cost and benefit, reasonableness and common sense, and permissiveness of community economic growth and development, on the following:

(1) Selected regulatory topics to provide guidance to State agencies regarding the formulation of and revision to specific rules and regulations.

(2) Existing and proposed rules and regulations for the

purpose of determining whether the rule is excessively burdensome or imposes undue hardship on those subject to the regulation.

(3) Whether the public benefit derived from a rule or a proposed rule exceeds the increased public and private cost of complying with the rule being imposed.

(4) Less restrictive, less costly, or less burdensome means to achieve the same result.

Section 15-30. Advisory responsibilities of the Business Regulatory Review Committee. At the direction and request of the Board, the Committee shall provide the following advisory assistance:

(1) To advise the Office of the Governor regarding agency rulemaking and to offer recommendations that improve the State rulemaking process, which may include alternative standards that might be set for enforcement by regulatory agencies.

(2) To advise the General Assembly about whether the State should adopt small business regulatory enforcement fairness legislation modeled after the equivalent federal legislation and regarding how Illinois laws compare with those of other states and how Illinois might implement reforms adopting the better or best practices of these other states.

(3) To advise the Department of Commerce and Community Affairs with the operations of the First Stop, small business regulatory review, and similar department programs.

(4) To advise relevant State agencies on the formulation of federally required State rules.

Section 15-35. Support for Committee. The Committee shall be provided staff support services by the Department of Commerce and Community Affairs, the Office of the Governor, and various regulatory agencies. Members of the Committee shall serve without compensation, but may be reimbursed for expenses.

Section 15-105. The Civil Administrative Code of Illinois is amended by changing 46.19a as follows:

(20 ILCS 605/46.19a) (from Ch. 127, par. 46.19a)

Sec. 46.19a. Employment and technology grants.

(1) Grants to provide training in fields affected by critical demands for certain skills may be made as provided in this subsection.

(a) The Director of the Department may make grants to eligible employers or to other eligible entities on behalf of employers as authorized in paragraph (b) to provide training for

employees in fields for which there are critical demands for certain skills.

(b) The Director may accept applications for training grant funds and grant requests from: (i) entities sponsoring multi-company eligible employee training projects as defined in paragraph (c), including business associations, strategic business partnerships, institutions of secondary or higher education, large manufacturers for supplier network companies, federal Job Training Partnership Act administrative entities or grant recipients, and labor organizations when those projects will address common training needs identified by participating companies; and (ii) individual employers that are undertaking eligible employee training projects as defined in paragraph (c), including intermediaries and training agents.

(c) The Director may make grants to eligible applicants as defined in paragraph (b) for employee training projects that include, but need not be limited to, one or more of the following:

(i) training programs in response to new or changing technology being introduced in the workplace;

(ii) job-linked training that offers special skills

for career advancement or that is preparatory for, and leads directly to, jobs with definite career potential and long-term job security;

(iii) training necessary to implement total quality management or improvement or both management and improvement systems within the workplace;

(iv) training related to new machinery or equipment;

(v) training of employees of companies that are expanding into new markets or expanding exports from Illinois;

(vi) basic, remedial, or both basic and remedial training of employees as a prerequisite for other vocational or technical skills training or as a condition for sustained employment;

(vii) self-employment training of the unemployed and underemployed with comprehensive, competency-based instructional programs and services, entrepreneurial education and training initiatives for youth and adult learners in cooperation with the Illinois Institute for Entrepreneurial Education, training and education, conferences, workshops, and best practice information for local program operators of entrepreneurial education and self-employment training programs; and

(viii) other training activities, projects, or both training activities and projects related to the support, development, or evaluation of job training programs, activities, and delivery systems, including training needs assessment and design.

(d) Grants shall be made on the terms and conditions that the Department shall determine, provided, however, that no grant made under the provisions of paragraph (c) of this subsection

shall exceed 50% of the direct costs of all approved training programs provided by the employer or the employer's training agent or other entity as defined in paragraph (b). Under this Section, allowable costs include, but are not limited to:

(i) administrative costs of tracking, documenting, reporting, and processing training funds or project costs;

(ii) curriculum development;

(iii) wages and fringe benefits of employees;

(iv) training materials, including scrap product costs;

(v) trainee travel expenses;

(vi) instructor costs, including wages, fringe benefits, tuition, and travel expenses;

(vii) rent, purchase, or lease of training equipment; and

(viii) other usual and customary training costs.

(e) The Director will ensure that a minimum of one on-site grant monitoring visit is conducted by the Department either during the course of the grant period or within 6 months following the end of the grant period. The Department shall verify that the grantee's financial management system is structured to provide for accurate, current, and complete disclosure of the financial results of the grant program in accordance with all provisions, terms, and conditions contained in the grant contract.

(f) The Director may establish and collect a schedule of charges from subgrantee entities and other system users under federal job-training programs for participating in and utilizing the department's automated job-training program information systems where such systems and the necessary participation and

utilization is a requirement of the federal job-training programs. All monies collected pursuant to this paragraph shall be deposited into the Federal Job-Training Information Systems Revolving Fund created in subsection (5).

(2) The Department is authorized to establish a program of grants to universities, community colleges, research institutions, research consortiums, other not-for-profit entities, and Illinois businesses for the purpose of fostering research and development in the high technology and the service sector leading to the development of new products and services that can be marketed by Illinois businesses. All grant awards shall include a contract which may provide for payment of negotiated royalties to the Department if the product or service to be developed by the grantee is subsequently licensed for production.

(a) Grants may be awarded to universities and research institutions to assist them in making their faculties and facilities available to Illinois businesses. Such grants may be used by a university or research institution for, including but not limited to the following purposes: (i) to establish or enhance computerized cataloging of all research labs and university staff and make such catalogues available to Illinois businesses; (ii) to market products developed by the university

to Illinois businesses; (iii) to review publications in order to identify, catalog, and inform Illinois businesses of new practices in areas such as robotics, biotechnology; (iv) to build an on-line, information and technology system that relies on other computerized networks in the United States; (v) to assist in securing temporary replacement for faculty who are granted a leave of absence from their teaching duties for the purpose of working full-time for an Illinois business to assist that business with technology transfer.

(b) Grants may be awarded to universities and research institutions, research consortiums and other not-for-profit entities for the purpose of identifying and supporting Illinois businesses engaged in high technology and service sector enterprises. Such Illinois businesses identified and funded shall include recipients of Small Business Innovation Research Program funds under subsections (e) through (k) of Section 9 of the Small Business Act. (Title 15 United States Codes, subsections 638(e)-638(k)). Entities receiving grants under this paragraph (b) shall be known as commercialization centers and shall engage in one or more of the following activities:

(i) directing research assistance for new venture creations;

(ii) general feasibility studies of new venture ideas;

(iii) furthering the technical and intellectual skills of the managers and owners of Illinois small businesses;

(iv) commercialization of technology and research;

(v) development of prototypes and testing new products;

(vi) identify and assist in securing financing;

(vii) marketing assistance; and

(viii) assisting Illinois inventors in finding Illinois manufacturers to produce and market their inventions.

A commercialization center may charge a nominal fee or accept royalty agreements for conducting feasibility studies and other services.

(c) Grants may be awarded by the Department to Illinois businesses to fund research and consultation arrangements between businesses and universities, community colleges, research

institutions, research consortiums and other not-for-profit entities within this State.

The Department shall give priority to Illinois small businesses in awarding grants. Each grant awarded under this paragraph (c) shall provide funding for up to 50% of the cost of the research or consultation arrangements, not to exceed $100,000; provided that the grant recipient utilizes Illinois not for profit research and academic institutions to perform the research and development function for which grant funds were requested.

(d) Grants may be awarded to research consortium and other qualified applicants, in conjunction with private sector or federal funding, for other creative systems that bridge

university resources and business, technological, production and development concerns.

(e) For the purposes of subsection (2), (i) "Illinois business" means a "small business concern" as defined in Title 15 United States Code, Section 632, which primarily conducts its business in Illinois; (ii) "high technology" means any area of research or development designed to foster greater knowledge or understanding in fields such as computer science, electronics, physics, chemistry or biology for the purpose of producing designing, developing or improving prototypes and new processes; (iii) "private sector" shall have the meaning ascribed to it in Title 29 United States Code, Section 1503; (iv) "University" means either a degree granting institution located in Illinois as defined in Section 2 of the Academic Degree Act, or a State-supported institution of higher learning administered by the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, or the Illinois Community College Board; (v) "venture" means any Illinois business engaged in research and development to create new products or services with high growth potential; (vi) Illinois research institutions refers to not-for-profit entities, which include federally-funded research laboratories, that conduct research and development activities for the purpose of producing, designing, developing, or improving prototypes and new processes; and (vii) other not-for-profit entities means non-profit organizations based in Illinois that are primarily devoted to new enterprise or product development.

(f) The Department may establish a program of grant assistance on a matching basis to universities, community colleges, small business development centers, community action agencies and other not-for-profit economic development agencies to encourage new enterprise development and new business formation and to encourage enterprises in this State. The Department may provide grants, which shall be exempt from the provisions of subsection (3) of this Section, to universities, community colleges, small business development centers, community action agencies and other not-for-profit economic development entities for the purpose of making loans to small businesses. All grant applications shall contain information as required by the Department, including the following: a program operation plan; a certification and assurance that the small business applicants have received business development training or

education, have a business and finance plan and have experience in the proposed business area; and a description of the support services which the grant recipient will provide to the small business. No more than 10% of the grant may be used by the grant

recipient for administrative costs associated with the grant. Grant recipients may use grant funds under this program to make loans on terms and conditions favorable to the small business and shall give priority to those businesses located in high poverty areas, enterprise zones, or both.

(3) There is created within the Department, a Technology Innovation and Commercialization Grants-in-Aid Council which shall consist of 2 representatives of the Department of Commerce and Community Affairs appointed by the Department; one representative of the Illinois Board of Higher Education, appointed by the Board; one representative of science or engineering appointed by the Governor; two representatives of business, appointed by the Governor; one representative of small business, appointed by the Governor; one representative of the Department of Agriculture, appointed by the Director of Agriculture; and one representative of agribusiness, appointed by the Director of Agriculture. The Director of Commerce and Community Affairs shall appoint one of the Department's representatives to serve as chairman of the Council. The Council members shall receive no compensation for their services but shall be reimbursed for their expenses actually incurred by them in the performance of their duties under this subsection. The Department shall provide staff services to the Council. The Council shall provide for review and evaluation of all applications received by the Department under subsection (2) of this Section and make recommendations on those projects to be funded. The Council shall also assist the Department in monitoring the projects and in evaluating the impact of the program on technological innovation and business development within the State.

(4) There is hereby created a special fund in the State Treasury to be known as the Technology Innovation and Commercialization Fund. The moneys in such Fund may be used, subject to appropriation, only for making grants pursuant to subsection (2) of this Section and for the purposes of the Technology Advancement and Development Act. All royalties received by the Department shall be deposited in such Fund.

(5) There is hereby created a special fund in the State treasury to be known as the Federal Job-Training Information Systems Revolving Fund. The deposit of monies into this fund shall be limited to the collection of charges pursuant to paragraph (f) of subsection (1) of this Section. The monies in the fund may only be used, subject to appropriation by the General Assembly for the purpose of financing the maintenance and operation of the automated Federal Job-Training Information Systems pursuant to paragraph (f) of subsection (1) of this Section.

(6) When the Department is involved in developing a federal or State funded training or retraining program for any employer, the Department will assist and encourage that employer in making every effort to reemploy individuals previously employed at the facility. Further, the Department will provide a list of said employees to said employer for consideration for reemployment and will report the results of this effort to the Illinois Job Training Coordinating Council. This requirement shall be in effect when the following conditions are met:

(a) the employer is reopening, or is proposing to reopen, a facility which was last closed during the preceding 2 years,

(b) a substantial number of the persons who were employed at the facility before its most recent closure remain unemployed, and

(c) the product or service produced by, or proposed to be produced by, the employer at the facility is substantially similar to the product or service produced at the facility before its most recent closure.

(7) The Department, in cooperation with the Departments of Human Services and Employment Security, may establish a program to encourage community action agencies to establish programs that will help unemployed and underemployed single parents to identify, access, and develop, through such means as counseling or mentoring, internal and external resources that will enable those single parents to become emotionally and financially self-sufficient. The intended primary beneficiaries of the local programs shall be female heads of households who are at least 22 but less than 46 years of age and who are physically able to work but are unemployed or underemployed. The Department may make grants, subject to the availability of funding, to communities and local agencies for the purpose of establishing local programs as described in this subsection (7). A grant under this subsection (7) shall be made for a period of one year and may be renewed if the Department determines that the program is successful in meeting its objectives. If the Department determines that implementation of a program has resulted in a savings of State moneys that otherwise would have been paid to beneficiaries of the program, the Department, on renewing a grant, may adjust the grant amount for those demonstrated savings. For purposes of this subsection, a person is underemployed if his or her income from employment is less than 185% of the federal official poverty income guideline.

(Source: P.A. 89-4, eff. 1-1-96; 89-507, eff. 7-1-97; 90-454, eff. 8-16-97.)

Section 15-110. The Women's Business Ownership Act is amended by changing Section 20 as follows:

(20 ILCS 705/20)

(Section scheduled to be repealed on September 1, 1999)

Sec. 20. Repeal. This Act is repealed September 1, 2004 ~~1999~~.

(Source: P.A. 88-597, eff. 8-28-94.)

Section 15-115. The Illinois Economic Development Board Act is amended by changing Section 3 and adding Section 4.5 as follows:

(20 ILCS 3965/3) (from Ch. 127, par. 3953)

Sec. 3. The board shall be composed of citizens from both the private and public sectors who are actively engaged in organizations and businesses that support economic expansion, industry enhancement and job creation. The board shall be composed of the following persons:

(a) the Governor or his or her designee;

(b) four ~~for~~ members of the General Assembly, one each appointed by the President of the Senate, the Speaker of the House of Representatives, and the minority leaders of the Senate and House of Representatives;

(c) 20 members appointed by the Governor including representatives of small business, minority owned companies, women owned companies, manufacturing, economic development professionals, and citizens at large. ~~one representative of a manufacturing company employing more than 1,000 persons;~~

(d) (blank) ~~one representative of a manufacturing company employing fewer than 100 persons~~;

(e) (blank) ~~one representative of a manufacturing company employing between 100 and 1,000 persons~~;

(f) (blank) ~~three representatives from organized labor~~;

(g) (blank) ~~one representative from a major financial institution~~;

(h) (blank) ~~one representative from agriculture~~;

(i) (blank) ~~one representative from education~~;

(j) (blank) ~~one representative from the retail industry~~;

(k) (blank) ~~one representative from the service industry~~;

(l) (blank); ~~one economic development professional; and~~

(m) (blank) ~~five citizens at large~~.

The director of the Department of Commerce and Community Affairs shall serve as an ex officio member of the board.

The Governor shall appoint the members of the board specified in subsections (c) through (m) of this Section, subject to the advice and consent of the Senate, within 30 days after the effective date of this Act. The first meeting of the board shall occur within 60 days after the effective date of this Act.

The Governor shall appoint a chairperson and a vice chairperson of the board. Members shall serve 2-year terms. The position of a legislative member shall become vacant if the member ceases to be a member of the General Assembly. A vacancy in a board position shall be filled by the original appointing authority.

The board shall include representation from each of the State's geographic areas.

The board shall meet quarterly or at the call of the chair and shall create subcommittees as needed to deal with specific issues and concerns. Members shall serve without compensation but may be reimbursed for expenses.

(Source: P.A. 86-1430.)

(20 ILCS 3965/4.5 new)

Sec. 4.5. Additional duties. In addition to those duties granted under Section 4, the Illinois Economic Development Board shall:

(1) Establish a Business Investment Location Development Committee for the purpose of making recommendations for designated economic development projects. At the request of the Board, the Director of Commerce and Community Affairs or his or her designee; the Director of the Bureau of the Budget, or his or her designee; the Director of Revenue, or his or her designee; the Director of Employment Security, or his or her designee; and an elected official of the affected locality, such as the chair of the county board or the mayor, may serve as members of the Committee to assist with its analysis and deliberations.

(2) Establish a Business Regulatory Review Committee to generate private sector analysis, input, and guidance on methods of regulatory assistance and review. At the determination of the Board, individual small business owners and operators; national, State, and regional organizations representative of small firms; and representatives of existing State or regional councils of

business may be designated as members of this Business Regulatory Review Committee.

Section 15-120. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 9 as follows:

(30 ILCS 575/9) (from Ch. 127, par. 132.609)

(Section scheduled to be repealed on September 6, 1999.)

Sec. 9. This Act is repealed September 6, 2004 ~~1999~~.

(Source: P.A. 88-597, eff. 8-28-94.)

ARTICLE 20

Section 20-1. Short Title. This Article may be cited as the State and Regional Development Strategy Act.

Section 20-5. Purpose. The General Assembly finds that an essential step to assist the Illinois economy, both on a statewide and on a local level, to respond to increasingly competitive global conditions and economic trends is to establish a consensus on a long-term economic development strategy that recognizes both the competitive position of the State's regions and needs of commerce and

industry. A unique partnership between State and local development groups and between the private and public sectors can set a comprehensive and responsive agenda of community improvement and community economic development.

Section 20-10. Strategic Planning. The Department of Commerce and Community Affairs has the following powers:

By no later than February 1, 2000, the Department shall prepare an economic development strategy for Illinois for the period beginning on July 1, 2000 and ending on June 30, 2005, and for the 4 years next ensuing. By no later than February 1, 2000 and annually thereafter, the Department shall make modifications in the economic development strategy for the 4 years beginning on the next ensuing July 1 as the modifications are warranted by changes in economic conditions or by other factors, including changes in policy, and shall prepare an economic development strategy for the fifth year beginning after the next ensuing July 1. In preparing the strategy and in making modifications to the strategy, the Department shall take cognizance of the special economic attributes of the various component areas of the State.

(1) The "component areas" shall be determined by the Department after a county by county economic analysis and shall group counties that are close in geographical proximity and share common economic traits such as labor market areas.

(2) The strategy shall recommend specific legislative, administrative, and programmatic action at both the State and area level for promoting sustained economic growth at or above national rates of economic growth while keeping the rate of unemployment below national levels of unemployment.

(3) The strategy shall include an assessment of historical patterns of economic activity for the State as a whole and by area, and projections of future economic trends for the State as a whole and by area. National economic trends and projections shall be considered in the formulation of the State and area projections. All assumptions made in the formulation of the State

and area projections shall be clearly and explicitly set forth in the strategy.

(4) The strategy shall identify, for each area, those community economic improvement characteristics that most likely will influence whether the area will exceed or fall below the rate of overall State economic growth.

(5) The strategy shall recommend programmatic action to be taken to foster and promote economic growth in specific areas, taking into account the resources and economic factors indigenous to the areas.

(A) The strategy shall identify for the State and each region the critical business development approaches being considered or to be considered. The approaches may include, but are not limited to: investment recruitment, such as industry attraction, expansion and retention; trade development efforts including international trade, support for small businesses' efforts to export products and services, tourism attraction and development including cultural tourism; technology development efforts including technology commercialization and manufacturing modernization; and business development efforts, including entrepreneurship and entrepreneurial education, small business management assistance, and business financing.

(B) The strategy shall identify for the State and each region the critical workforce training and development being considered or to be considered. The approaches may include, but are not limited to: customized job training, retraining

and skill upgrading, economic adjustment, job creation and addressing labor shortages in areas of high demand; the market for and quality of the local labor force; the quality of the education and workforce infrastructure; and related issues.

(C) The strategy shall identify for the State and each region the critical community development approaches being considered or to be considered. The approaches may include, but are not limited to: community growth management such as regional planning and smart growth; area revitalization including brownfields redevelopment and facility reuse; and family self-sufficiency such as through housing conservation and economic opportunity.

(D) The strategy shall identify for the State and each region the critical public facilities development approaches being considered or to be considered. The approaches may include, but are not limited to: local public services; the local, regional, and State tax and regulatory climate; the physical infrastructure, including communications and transportation systems; the capacity of area utilities; and the quality of public institutions such as schools.

(E) The strategy shall identify for the State and each region the other critical marketplace systems, including: the financial marketplace; the competitive advantages of the area in terms of natural resources, capital resources or

technology resources; and other factors affecting area development.

(6) In preparing the strategy or modifications to the strategy, the Department shall work with State agencies, boards, and commissions whose programs and activities significantly affect economic activity in the State including the Illinois Development Finance Authority, the Department of Revenue, the Department of Transportation, the Department of Employment Security, the Department of Agriculture, the Department of Natural Resources, the Environmental Protection Agency, and other agencies, boards, or commissions as appropriate. The Directors of the agencies, boards, and commissions shall provide the assistance to the Department as the Governor deems appropriate.

(7) In preparing the strategies for the component areas, the Department shall consult with local and regional economic development organizations, local elected officials, community-based organizations, service delivery providers, and other organizations whose programs and activities significantly affect economic activity in the area.

(8) In preparing the economic development strategy, the Department shall take into consideration any decisions or recommendations related to programs, services, and government regulations contained in the strategy that have been rendered as a result of a Statewide Performance Review.

(9) The strategy shall be presented to the Governor, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, the members of the of the Illinois Economic Development Board, and the Chair of the Economic and Fiscal Commission on February 1, 2000 and annually thereafter.

(10) The strategy shall be published and made available to the public in both paper and electronic media.

(20 ILCS 605/46.44 rep.)

Section 20-105. The Civil Administrative Code of Illinois is amended by repealing Section 46.44.

ARTICLE 999.

Section 999-1. 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 Watson, **Senate Bill No. 149** 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 149 by replacing the title with the following:

"AN ACT to amend the Emergency Telephone System Act by changing

Section 15.6."; and

by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Telephone System Act is amended by changing Section 15.6 as follows:

(50 ILCS 750/15.6)

Sec. 15.6. Private business switch service 9-1-1 service.

(a) After June 30, 1996, an entity that installs or operates a new private business switch service or replaces an existing private business switch service and provides telecommunications facilities or services to businesses shall provide to those business end users the same level of 9-1-1 service as the public agency and the telecommunications carrier are providing to other business end users of the local 9-1-1 system. This service shall include, but not be limited to, the capability to identify the telephone number, extension number, and the physical location that is the source of the call to the number designated as the emergency telephone number. After June 30, 1999, all entities providing or operating a private business switch service shall be in compliance with this Section.

(b) The private business switch operator is responsible for forwarding end user automatic location identification record information to the 9-1-1 system provider according to the format, frequency, and procedures established by that system provider.

(c) This Act does not apply to any PBX telephone extension that uses radio transmissions to convey electrical signals directly between the telephone extension and the serving PBX.

(d) An entity that violates this Section is guilty of a business offense and shall be fined not less than $1,000 and not more than $5,000.

(e) Nothing in this Section shall be construed to preclude the Attorney General on behalf of the Commission or on the Attorney General's ~~his or her~~ own initiative, or any other interested person, from seeking judicial relief, by mandamus, injunction, or otherwise, to compel compliance with this Section.

(Source: P.A. 88-604, eff. 9-1-94; 89-222, eff. 1-1-96; 89-497, eff. 6-27-96.)".

Floor Amendment No. 2 was held in the Committee on Environment and Energy.

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

CONSIDERATION OF MOTION IN WRITING

Pursuant to Motion in writing filed on March 18, 1999, Senator Dillard moved to reconsider the vote by which **Senate Bill No. 929** passed.

Senator Jacobs requested a ruling from the Chair as to whether the motion on the foregoing bill has met the requirements of Senate Rule 7-15a.

The Chair ruled that the motion has met the requirements of

Senate Rule 7-15a.

And the motion recurring to reconsider the vote on **Senate Bill No. 929**.

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

Yeas 32; Nays 25.

The following voted in the affirmative:

Bomke	Hawkinson	Maitland	Rauschenberger
Burzynski	Jones, W.	Myers	Sieben
Cronin	Karpiel	Noland	Sullivan
Dillard	Klemm	O'Malley	Syverson
Donahue	Lauzen	Parker	Walsh, T.
Dudycz	Luechtefeld	Peterson	Watson
Fawell	Madigan, R.	Petka	Weaver
Geo-Karis	Mahar	Radogno	Mr. President

The following voted in the negative:

Berman	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Silverstein
Clayborne	Jones, E.	Obama	Smith
del Valle	Lightford	O'Daniel	Trotter
Demuzio	Link	Rea	Viverito
Halvorson	Madigan, L.	Shadid	Walsh, L.
			Welch

The motion prevailed.

And **Senate Bill No. 929** was returned to the order of third reading.

MOTION IN WRITING

Senator Klemm submitted the following Motion in Writing:

Having voted on the prevailing side, I move to reconsider the vote by which **Senate Bill 175** passed.

DATE: March 23, 1999

Dick Klemm
Senator

And on that motion, a call of the roll was had resulting as follows: Yeas 55; Nays 1.

The following voted in the affirmative:

Berman	Hawkinson	Maitland	Shaw
Bomke	Hendon	Molaro	Sieben
Bowles	Jacobs	Munoz	Silverstein
Burzynski	Jones, E.	Myers	Smith

Clayborne	Jones, W.	Noland	Sullivan
Cronin	Karpiel	Obama	Syverson
del Valle	Klemm	O'Daniel	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Luechtefeld	Radogno	Watson
Fawell	Madigan, L.	Rauschenberger	Weaver
Geo-Karis	Madigan, R.	Rea	Mr. President
Halvorson	Mahar	Shadid	

The following voted in the negative:

Welch

The motion prevailed.

And **Senate Bill No. 175** was returned to the order of third reading.

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. 1 to Senate Bill 113
Senate Amendment No. 2 to Senate Bill 132
Senate Amendment No. 2 to Senate Bill 171
Senate Amendment No. 2 to Senate Bill 175
Senate Amendment No. 2 to Senate Bill 323
Senate Amendment No. 1 to Senate Bill 480
Senate Amendment No. 2 to Senate Bill 666
Senate Amendment No. 1 to Senate Bill 778
Senate Amendment No. 1 to Senate Bill 824
Senate Amendment No. 2 to Senate Bill 844
Senate Amendment No. 3 to Senate Bill 880
Senate Amendment No. 2 to Senate Bill 1075
Senate Amendment No. 2 to Senate Bill 1131

REPORT FROM RULES COMMITTEE

Senator Weaver, Chairperson of the Committee on Rules, during its March 23, 1999 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Education: **Senate Amendment No. 2 to Senate Bill 527; Senate Amendment No. 2 to Senate Bill 529; Senate Amendment No. 2 to Senate Bill 648; Senate Amendment No. 2 to Senate Bill 823.**

Executive: **Senate Amendment No. 1 to Senate Bill 1183.**

Insurance and Pensions: **Senate Amendment No. 1 to Senate Bill 778; Senate Amendment No. 1 to Senate Bill 824.**

Judiciary: **Senate Amendment No. 1 to Senate Bill 759.**

Licensed Activities: **Senate Amendment No. 1 to Senate Bill 367;**

Senate Amendment No. 1 to Senate Bill 368; Senate Amendment No. 2 to Senate Bill 445.

Local Government: **Senate Amendment No. 2 to Senate Bill 171; Senate Amendment No. 2 to Senate Bill 844; Senate Amendment No. 3 to Senate Bill 880.**

Public Health and Welfare: **Senate Amendment No. 2 to Senate Bill 818.**

Revenue: **Senate Amendment No. 2 to Senate Bill 666.**

State Government Operations: **Senate Amendment No. 1 to Senate Bill 113.**

Transportation: **Senate Amendment No. 3 to Senate Bill 1042.**

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

Senate Amendment No. 2 to Senate Bill 132
Senate Amendment No. 2 to Senate Bill 175
Senate Amendment No. 2 to Senate Bill 323
Senate Amendment No. 1 to Senate Bill 1061
Senate Amendment No. 1 to Senate Bill 1184

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

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Petka moved that **Senate Resolution No. 39**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Petka moved that Senate Resolution No. 39, be adopted.

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

Yeas 32; Nays 26.

The following voted in the affirmative:

Bomke	Hawkinson	Maitland	Rauschenberger
Burzynski	Jones, W.	Myers	Sieben
Cronin	Karpiel	Noland	Sullivan
Dillard	Klemm	O'Malley	Syverson
Donahue	Lauzen	Parker	Walsh, T.
Dudycz	Luechtefeld	Peterson	Watson
Fawell	Madigan, R.	Petka	Weaver
Geo-Karis	Mahar	Radogno	Mr. President

The following voted in the negative:

Berman	Demuzio	Link	Shadid
Bowles	Halvorson	Madigan, L.	Shaw
Clayborne	Hendon	Molaro	Silverstein

Cullerton	Jacobs	Munoz	Smith
DeLeo	Jones, E.	Obama	Trotter
del Valle	Lightford	O'Daniel	Viverito
			Walsh, L.
			Welch

The motion prevailed.
And the resolution was adopted.

Senator L. Walsh moved that **Senate Resolution No. 40**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator L. Walsh moved that Senate Resolution No. 40, be adopted.
And on that motion a call of the roll was had resulting as

follows:
Yeas 59; Nays None.

The following voted in the affirmative:

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

The motion prevailed.
And the resolution was adopted.

Senator Parker moved that **Senate Resolution No. 41**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Resolution 41 on page 1, line 18, by inserting after "procedures" the following:
", involuntary psychiatric examination".

Senator Parker moved that **Senate Resolution No. 41**, as amended, be adopted.
And on that motion a call of the roll was had resulting as

follows:
Yeas 56; Nays None.

The following voted in the affirmative:

Berman	Hawkinson	Maitland	Shadid
Bomke	Hendon	Molaro	Shaw
Bowles	Jacobs	Munoz	Sieben
Burzynski	Jones, E.	Myers	Silverstein
Clayborne	Jones, W.	Noland	Smith
Cullerton	Karpiel	Obama	Sullivan
DeLeo	Klemm	O'Daniel	Trotter
del Valle	Lauzen	O'Malley	Viverito
Demuzio	Lightford	Parker	Walsh, L.
Dillard	Link	Peterson	Walsh, T.
Dudycz	Luechtefeld	Petka	Watson
Fawell	Madigan, L.	Radogno	Weaver
Geo-Karis	Madigan, R.	Rauschenberger	Welch
Halvorson	Mahar	Rea	Mr. President

The motion prevailed.
And the resolution, as amended, was adopted.

Senator O'Malley moved that **Senate Resolution No. 42**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
The following amendment was offered in the Committee on Financial Institutions, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Resolution 42 on page 1, line 15, by replacing "These" with "Some of these"; and
on page 1 by inserting immediately below line 18 the following:
"WHEREAS, Other short-term loans, commonly called "title loans", typically require the borrower to give the lender an authorization to transfer the title to or a lien upon the title to a motor vehicle owned by the borrower at the time the loan is made; and"; and
on page 1, line 20, by changing "loans" to "loans or title loans"; and
on page 1, line 26, by changing "loans" to "loans and title loans"; and
on page 1, line 29, by changing "business" to "or title loan business"; and
on page 2, lines 1, 2, and 4, by changing "loans" each time it appears to "loans and title loans"; and
on page 2, line 9, by changing "loan" to "loan and title loan".

Senator O'Malley moved that **Senate Resolution No. 42**, as amended, be adopted.
And on that motion a call of the roll was had resulting as follows:
Yeas 57; Nays None.

The following voted in the affirmative:

Berman	Halvorson	Maitland	Shadid
Bomke	Hawkinson	Molaro	Shaw
Bowles	Hendon	Munoz	Sieben
Burzynski	Jacobs	Myers	Silverstein
Clayborne	Jones, E.	Noland	Smith
Cullerton	Jones, W.	Obama	Sullivan
DeLeo	Karpiel	O'Daniel	Syverson
del Valle	Klemm	O'Malley	Trotter
Demuzio	Lauzen	Parker	Viverito
Dillard	Lightford	Peterson	Walsh, L.
Donahue	Link	Petka	Walsh, T.
Dudycz	Madigan, L.	Radogno	Watson
Fawell	Madigan, R.	Rauschenberger	Weaver
Geo-Karis	Mahar	Rea	Welch
			Mr. President

The motion prevailed.
And the resolution, as amended, was adopted.

Senator O'Malley moved that **Senate Resolution No. 43**, on the Secretary's Desk, be taken up for immediate consideration.
The motion prevailed.
Senator O'Malley moved that Senate Resolution No. 43, be adopted.
And on that motion a call of the roll was had resulting as follows:
Yeas 58; Nays None.

The following voted in the affirmative:

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

The motion prevailed.
And the resolution was adopted.

Senator Maitland moved that **Senate Resolution No. 48**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Maitland moved that Senate Resolution No. 48, be adopted.

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

Yeas 59; Nays None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

Senator Bowles moved that **Senate Resolution No. 49**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

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

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Resolution 49 by replacing lines 19 through 31 on page 1 and all of page 2 with the following:

"RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that there is created the Industrial Hemp Investigative and Advisory Task Force consisting of the Director of

Agriculture or his or her designee, who shall be chairperson, and 12 additional members, 6 each, selected by the President of the Senate and the Minority Leader of the Senate, representing expertise in the fields of plant science, food processing science, law enforcement, herbology, or manufacturing; members of the Task Force shall serve without compensation but shall be reimbursed for their reasonable and necessary expenses from funds appropriated for that purpose; and be it further

RESOLVED, The Task Force shall study the economic viability of industrial hemp production in this State, shall identify any legal or other obstacles to industrial hemp production, shall make any recommendations it deems appropriate, and shall report its findings and recommendations to the Illinois Senate by January 1, 2000; and

upon reporting to the Senate, the Task Force shall be dissolved; and be it further

RESOLVED, That the Task Force shall meet initially at the call of the chairperson and shall hold public hearings; and be it further

RESOLVED, That the University of Illinois College of ACES (Agricultural, Consumer, and Environmental Sciences) is requested to work with the Task Force and cooperate in undertaking the study; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President of the University of Illinois and the Illinois Director of Agriculture.".

Senator Bowles moved that **Senate Resolution No. 49**, as amended, be adopted.

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

Yeas 48; Nays 6; Present 1.

The following voted in the affirmative:

Berman	Fawell	Maitland	Shaw
Bomke	Geo-Karis	Molaro	Sieben
Bowles	Halvorson	Munoz	Silverstein
Burzynski	Hendon	Myers	Smith
Clayborne	Jacobs	Noland	Syverson
Cronin	Jones, E.	Obama	Trotter
Cullerton	Karpiel	O'Daniel	Viverito
DeLeo	Klemm	Parker	Walsh, L.
del Valle	Lightford	Peterson	Walsh, T.
Demuzio	Luechtefeld	Radogno	Watson
Dillard	Madigan, L.	Rea	Weaver
Donahue	Madigan, R.	Shadid	Mr. President

The following voted in the negative:

Dudycz
Hawkinson
Jones, W.
Lauzen
Rauschenberger
Sullivan

The following voted present:

O'Malley

The motion prevailed.

And the resolution, as amended, was adopted.

Senator Rauschenberger moved that **Senate Resolution No. 50**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

The following amendment was offered in the Committee on Commerce

and Industry, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Resolution 50 on page 1, by replacing lines 9 through 14 with the following:

"WHEREAS, The terms of 7 of the members of the Department of Labor Advisory Board have expired; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Governor to appoint members to fill the 7 expired positions on the Department of Labor Advisory Board; and be it further

RESOLVED, That we urge the Governor to select members who deal regularly with the Department of Labor or represent entities that deal regularly with the Department of Labor; and be it further

RESOLVED, That we urge the Department of Labor Advisory Board to meet at least once every 3 months; and be it further".

Senator Rauschenberger moved that **Senate Resolution No. 50**, as amended, be adopted.

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

Yeas 59; Nays None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution, as amended, was adopted.

Senator R. Madigan moved that **Senate Joint Resolution No. 3**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator R. Madigan moved that Senate Joint Resolution No. 3, be adopted.

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

Yeas 56; Nays None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

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

Senator Maitland moved that **Senate Joint Resolution No. 15**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Maitland moved that Senate Joint Resolution No. 15, be adopted.

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

Yeas 58; Nays None; Present 1.

The following voted in the affirmative:

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

The following voted present:

Molaro

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives

thereof, and ask their concurrence therein.

SENATE BILLS TABLED

Senator Dillard moved that **Senate Bills Numbered 15, 519 and 523,**

which were referred to the Committee on Rules, be ordered to lie on the table.

The motion to table prevailed.

COMMITTEE MEETING ANNOUNCEMENT

Senator Syverson, Chairperson of the Committee on Public Health and Welfare announced that the Public Health and Welfare Committee will meet Wednesday, March 24, 1999 in Room 400, Capitol Building, at 8:30 o'clock a.m.

PRESENTATION OF RESOLUTIONS

Senators Berman, Rauschenberger and Trotter offered the following Senate Resolution, which was referred to the Committee on Rules:

SENATE RESOLUTION NO. 71

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the members of this body urge the Illinois congressional delegation to support the restoration of the FFY 98 federal funding level for the Social Service Block Grant/Title XX Program; and be it further

RESOLVED, That the reduced FFY 99 funding level for this important program will have an impact upon Illinois State government of over $16,000,000, with a greater impact upon direct service due to the program's local matching funds commitment for the Donated Funds Initiative within Illinois' expenditure of those allocated funds within every county of the State; and be it further

RESOLVED, That the President's recommended budget for FFY 00 restores the FFY 98 funding level, and Congress should favor this higher amount for FFY 00; and be it further

RESOLVED, That copies of this resolution be presented to the members of the Illinois delegation to the United States Congress for their consideration.

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

SENATE RESOLUTION NO. 72

WHEREAS, Thomas William Davenport was a licensed civil engineer with the Illinois Department of Transportation; on April 16, 1992 he was killed by a drunk driver north of this home in Chatham, Illinois; and

WHEREAS, Thomas Davenport was a son, brother, husband, and a

father; and

WHEREAS, Thomas Davenport, working with the Illinois Department of Transportation, assisted with the building of the bridge on South Chatham Road that crosses Interstate 72 and Illinois Route 36; and

WHEREAS, The bridge is located on South Chatham Road in Springfield, Illinois, and is used as an overpass for Interstate 72 and Illinois Route 36; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the bridge on South Chatham Road, spanning Interstate 72 and Illinois Route 36, be named the Thomas William Davenport Memorial Bridge; and be it further

RESOLVED, That the Illinois Department of Transportation be requested to erect, at a suitable location consistent with State and federal regulations, an appropriate plaque or signs giving notice of the name; and be it further

RESOLVED, That suitable copies of this preamble and resolution be presented to the Secretary of Transportation and to the family of Thomas William Davenport.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 42, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 222, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 578, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 839, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 902, sponsored by Senators Burzynski - Philip - Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 923, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1353, sponsored by Senator Burzynski was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1370, sponsored by Senator Bowles was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1388, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1393, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1464, sponsored by Senator Dillard was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1732, sponsored by Senator Peterson was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1841, sponsored by Senators Dillard - Jacobs was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2306, sponsored by Senator Clayborne was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2646, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2721, sponsored by Senator Klemm was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2744, sponsored by Senator Weaver was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2772, sponsored by Senator Rauschenberger was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 2827, sponsored by Senator Cronin 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. 3 to Senate Bill 223
Senate Amendment No. 3 to Senate Bill 272
Senate Amendment No. 2 to Senate Bill 311
Senate Amendment No. 1 to Senate Bill 723
Senate Amendment No. 1 to Senate Bill 1054
Senate Amendment No. 1 to Senate Bill 1112
Senate Amendment No. 2 to Senate Bill 1112

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

Senate Amendment No. 1 to Senate Joint Resolution No. 19

At the hour of 6:45 o'clock p.m., on motion of Senator Weaver, the Senate stood adjourned until Wednesday, March 24, 1999 at 9:00 o'clock a.m.