STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

69TH LEGISLATIVE DAY

REGULAR SESSION

WEDNESDAY, JUNE 6, 2007

11:23 O'CLOCK A.M.

HOUSE OF REPRESENTATIVES Daily Journal Index

Daily Journal Index 69th Legislative Day

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The House met pursuant to adjournment.

Speaker of the House Madigan in the chair.

Prayer by Doorkeeper of the House Lee A. Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield, IL.

Representative Bellock led the House in the Pledge of Allegiance.

By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows: 102 present. (ROLL CALL 1)

By unanimous consent, Representatives Richard Bradley, Burke, Collins, Coulson, Dunkin, Dunn, Feigenholtz, Franks, Graham, Hassert, Kosel, May, Patterson, Schmitz and Sommer were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Yarbrough, should be recorded as present at the hour of 11:30 o'clock a.m.

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Kosel, should be recorded as present at the hour of 12:15 o'clock p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Harris replaced Representative Scully in the Committee on Gaming on June 6, 2007.

Representative Lyons replaced Representative Richard Bradley in the Committee on Gaming on June 6, 2007.

Representative Washington replaced Representative Yarbrough in the Committee on Gaming on June 6, 2007.

REPORT FROM STANDING COMMITTEES

Representative Reitz, Chairperson, from the Committee on Agriculture & Conservation to which the following were referred, action taken on June 6, 2007, reported the same back with the following recommendations:

That the Motion be reported "recommends be adopted" and placed on the House Calendar: Motion to concur with Senate Amendments numbered 1, 2 and 3 to HOUSE BILL 822.

The committee roll call vote on Motion to concur with Senate Amendments numbered 1, 2 and 3 to House Bill 822 is as follows:

7, Yeas; 0, Nays; 0, Answering Present.

Y Reitz(D), Chairperson A Phelps(D), Vice-Chairperson

A Sacia(R), Republican Spokesperson Y Cultra(R)
Y Dugan(D) Y Flider(D)
Y Moffitt(R) Y Myers(R)
A Reis(R) Y Verschoore(D)

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a bill of the following title to-wit:

HOUSE BILL 830

A bill for AN ACT concerning civil law.

Together with the attached amendments thereto (which amendments have been printed by the Senate), in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE BILL NO. 830

Senate Amendment No. 7 to HOUSE BILL NO. 830

Senate Amendment No. 8 to HOUSE BILL NO. 830

Passed the Senate, as amended, June 6, 2007.

Deborah Shipley, Secretary of the Senate

AMENDMENT NO. 1 . Amend House Bill 830 by replacing everything after the enacting clause with the following:

"Section 1. Intent and applicability.

- (a) By enacting this amendatory Act of the 95th General Assembly, it is the intent of the General Assembly to make explicit the original meaning of Section 2 of the Credit Agreements Act. See Machinery Transports of Illinois v. Morton Community Bank, 293 Ill.App.3d207(3rd Dist. 1997).
- (b) This amendatory Act of the 95th General Assembly applies to pending actions as well as actions commenced on or after its effective date.

Section 5. The Credit Agreements Act is amended by changing Section 2 as follows:

(815 ILCS 160/2) (from Ch. 17, par. 7102)

Sec. 2. Credit agreements to be in writing. A debtor may not maintain an action on or in any way related to a credit agreement unless the credit agreement is in writing, expresses an agreement or commitment to lend money or extend credit or delay or forbear repayment of money, sets forth the relevant terms and conditions, and is signed by the creditor and the debtor. Actions that arise out of conduct intended to unjustly benefit the creditor or a third party, however, are not barred by this Section.

(Source: P.A. 86-613.)

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

AMENDMENT NO. <u>7</u>. Amend House Bill 830, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended, if and only if Senate Bill 472 of the 95th General Assembly becomes law, by changing Section 8-2001 as follows:

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

Sec. 8-2001. Examination of health care records.

(a) In this Section:

"Health care facility" or "facility" means a public or private hospital, ambulatory surgical treatment center, nursing home, independent practice association, or physician hospital organization, or any other entity where health care services are provided to any person. The term does not include a health care practitioner.

"Health care practitioner" means any health care practitioner, including a physician, dentist, podiatrist, advanced practice nurse, physician assistant, clinical psychologist, or clinical social worker. The term includes a medical office, health care clinic, health department, group practice, and any other organizational structure for a licensed professional to provide health care services. The term does not include a health care facility.

- (b) Every private and public health care facility shall, upon the request of any patient who has been treated in such health care facility, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, permit the patient, his or her healthcare practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative to examine the health care facility patient care records, including but not limited to the history, bedside notes, charts, pictures and plates, kept in connection with the treatment of such patient, and permit copies of such records to be made by him or her or his or her healthcare practitioner or authorized attorney.
- (c) Every health care practitioner shall, upon the request of any patient who has been treated by the health care practitioner, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, permit the patient and the patient's health care practitioner or authorized attorney, or any person, entity, or organization

presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative, to examine and copy the patient's records, including but not limited to those relating to the diagnosis, treatment, prognosis, history, charts, pictures and plates, kept in connection with the treatment of such patient.

- (d) A request for copies of the records shall be in writing and shall be delivered to the administrator or manager of such health care facility or to the health care practitioner. The person (including patients, health care practitioners and attorneys) requesting copies of records shall reimburse the facility or the health care practitioner at the time of such copying for all reasonable expenses, including the costs of independent copy service companies, incurred in connection with such copying not to exceed a \$20 handling charge for processing the request and the actual postage or shipping charge, if any, plus: (1) for paper copies 75 cents per page for the first through 25th pages, 50 cents per page for the 26th through 50th pages, and 25 cents per page for all pages in excess of 50 (except that the charge shall not exceed \$1.25 per page for any copies made from microfiche or microfilm; records retrieved from scanning, digital imaging, electronic information or other digital format do not qualify as microfiche or microfilm retrieval for purposes of calculating charges); and (2) for electronic records, retrieved from a scanning, digital imaging, electronic information or other digital format in a electronic document, a charge of 50% of the per page charge for paper copies under subdivision (d)(1). This per page charge includes the cost of 75 cents for each CD Rom, DVD, or other storage media. Records already maintained in an electronic or digital format shall be provided in an electronic format when so requested. If the records system does not allow for the creation or transmission of an electronic or digital record, then the facility or practitioner shall inform the requester in writing of the reason the records can not be provided electronically. The written explanation may be included with the production of paper copies, if the requester chooses to order paper copies. These rates shall be automatically adjusted as set forth in Section 8-2006. The facility or health care practitioner may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as x-ray films or
- (e) The requirements of this Section shall be satisfied within 30 days of the receipt of a written request by a patient or by his or her legally authorized representative, healthcare practitioner, authorized attorney, or any person, entity, or organization presenting a valid authorization for the release of records signed by the patient or the patient's legally authorized representative. If the facility or health care practitioner needs more time to comply with the request, then within 30 days after receiving the request, the facility or health care practitioner must provide the requesting party with a written statement of the reasons for the delay and the date by which the requested information will be provided. In any event, the facility or health care practitioner must provide the requested information no later than 60 days after receiving the request.
- (f) A health care facility or health care practitioner must provide the public with at least 30 days prior notice of the closure of the facility or the health care practitioner's practice. The notice must include an explanation of how copies of the facility's records may be accessed by patients. The notice may be given by publication in a newspaper of general circulation in the area in which the health care facility or health care practitioner is located.
- (g) Failure to comply with the time limit requirement of this Section shall subject the denying party to expenses and reasonable attorneys' fees incurred in connection with any court ordered enforcement of the provisions of this Section.

(Source: P.A. 93-87, eff. 7-2-03; 94-155, eff. 1-1-06; 09500SB0472ham001.)

Section 10. "An Act concerning civil law", Senate Bill 472 of the 95th General Assembly, is amended, if and only if Senate Bill 472 of the 95th General Assembly becomes law, by changing Section 99 as follows: (SB 472, 95th G.A., Sec. 99)

Sec. 99. Effective date. This Act takes effect upon becoming law, except that the provisions amending the Code of Civil Procedure by changing Sections 8-2001, 8-2005, and 8-2006 and repealing Section 8-2003 take effect on January 1, 2008.

(Source: 09500SB0472ham001.)

Section 99. Effective date. This Act takes effect upon becoming law, except Section 5 takes effect on January 1, 2008.".

AMENDMENT NO. <u>8</u>. Amend House Bill 830, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 7, on page 1, line 7 by changing "Section 8-2001" to "Sections 8-2001 and 8-2005"; and

on page 5, by inserting after line 26 the following:

"(735 ILCS 5/8-2005)

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

Upon the request of a client, an attorney shall permit the client's authorized attorney to examine and copy the records kept by the attorney in connection with the representation of the client, with the exception of attorney work product. The request for examination and copying of the records shall be in writing and shall be delivered to the attorney. Within a reasonable time after the attorney receives the written request, the attorney shall comply with the written request at his or her office or any other place designated by him or her. At the time of copying, the person requesting the records shall reimburse the attorney for all reasonable expenses, including the costs of independent copy service companies, incurred by the attorney in connection with the copying not to exceed a \$20 handling charge for processing the request, and the actual postage or shipping charges, if any, plus (1) for paper copies 75 cents per page for the first through 25th pages, 50 cents per page for the 26th through 50th pages, and 25 cents per page for all pages in excess of 50 (except that the charge shall not exceed \$1.25 per page for any copies made from microfiche or microfilm; records retrieved from scanning, digital imaging, electronic information or other digital format do not qualify as microfiche or microfilm retrieval for purposes of calculating charges); and (2) for electronic records, retrieved from a scanning, digital imaging, electronic information or other digital format in a electronic document, a charge of 50% of the per page charge for paper copies under subdivision (d)(1). This per page charge includes the cost of 75 cents for each CD Rom, DVD, or other storage media. Records already maintained in an electronic or digital format shall be provided in an electronic format when so requested. If the records system does not allow for the creation or transmission of an electronic or digital record, then the attorney shall inform the requester in writing of the reason the records can not be provided electronically. The written explanation may be included with the production of paper copies, if the requester chooses to order paper copies. These rates shall be automatically adjusted as set forth in Section 8-2006. The attorney may, however, charge for the reasonable cost of all duplication of record material or information that cannot routinely be copied or duplicated on a standard commercial photocopy machine such as pictures.

An attorney shall satisfy the requirements of this Section within 60 days after he or she receives a request from a client or his or her authorized attorney. An attorney who fails to comply with the time limit requirement of this Section shall be required to pay expenses and reasonable attorney's fees incurred in connection with any court-ordered enforcement of the requirements of this Section. (Source: P.A. 92-228, eff. 9-1-01; 09500SB0472ham001.)".

The foregoing message from the Senate reporting Senate Amendments numbered 1, 7 and 8 to HOUSE BILL 830 were placed on the Calendar on the order of Concurrence.

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 8

A bill for AN ACT concerning veterans.

House Amendment No. 1 to SENATE BILL NO. 8.

House Amendment No. 2 to SENATE BILL NO. 8.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 158

A bill for AN ACT concerning liquor.

House Amendment No. 1 to SENATE BILL NO. 158.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 314

A bill for AN ACT concerning roads.

House Amendment No. 1 to SENATE BILL NO. 314.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 336

A bill for AN ACT concerning finance.

House Amendment No. 1 to SENATE BILL NO. 336.

House Amendment No. 3 to SENATE BILL NO. 336.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 337

A bill for AN ACT concerning civil law.

House Amendment No. 1 to SENATE BILL NO. 337.

House Amendment No. 2 to SENATE BILL NO. 337.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 435

A bill for AN ACT concerning transportation.

House Amendment No. 1 to SENATE BILL NO. 435.

House Amendment No. 3 to SENATE BILL NO. 435.

House Amendment No. 4 to SENATE BILL NO. 435.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 607

A bill for AN ACT concerning transportation.

House Amendment No. 1 to SENATE BILL NO. 607.

House Amendment No. 2 to SENATE BILL NO. 607.

House Amendment No. 3 to SENATE BILL NO. 607.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 697

A bill for AN ACT concerning criminal law.

House Amendment No. 1 to SENATE BILL NO. 697.

House Amendment No. 2 to SENATE BILL NO. 697.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 729

A bill for AN ACT concerning education.

House Amendment No. 1 to SENATE BILL NO. 729.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 1579

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 1579.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 940

A bill for AN ACT concerning health.

House Amendment No. 1 to SENATE BILL NO. 940.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendment to a bill of the following title, to-wit:

SENATE BILL NO. 574

A bill for AN ACT concerning regulation.

House Amendment No. 1 to SENATE BILL NO. 574.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their amendments to a bill of the following title, to-wit:

SENATE BILL NO. 1094

A bill for AN ACT concerning firearms.

House Amendment No. 1 to SENATE BILL NO. 1094.

House Amendment No. 4 to SENATE BILL NO. 1094.

Action taken by the Senate, June 6, 2007.

Deborah Shipley, Secretary of the Senate

HOUSE RESOLUTION

The following resolution was offered and placed in the Committee on Rules.

HOUSE RESOLUTION 515

Offered by Representative Osmond:

WHEREAS, The citizens of Illinois place a high value on our recreation time and our ability to access one of America's greatest natural resources, its waterways; and

WHEREAS, In 1928 the word "marina" was used for the very first time by the National Association of Engine and Boat Manufacturers to define a recreational boating facility; and

WHEREAS, Illinois is home to over 170 recreational boating facilities that contribute substantially to communities of this State by providing a safe, reliable gateway to boating for members of the communities and their welcomed guests; and

WHEREAS, Illinois marinas also serve as stewards of the environment, actively seeking to protect the surrounding waterways not only for the enjoyment of this generation, but for generations to come; and

WHEREAS, Illinois marinas also provide Illinois communities and visitors to the State of Illinois a place where friends and families, united by a passion for the water, can come together for recreation, rest, and relaxation; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that Illinois marinas will continue to provide an environmentally friendly gateway to boating for the citizens of this State and visitors to this State; and be it further

RESOLVED, That August 11, 2007 be designated the sixth annual National Marina Day in order to honor Illinois' marinas for contributions made to the State's communities and to make citizens, policy makers, and employees more aware of the contributions made to Illinois communities by Illinois' marinas; and be it further

RESOLVED, That our State join hands with other states and thousands of other waterfront communities all across the United States in celebrating this day.

AGREED RESOLUTION

The following resolution was offered and placed on the Calendar on the order of Agreed Resolutions.

HOUSE RESOLUTION 516

Offered by Representative Phelps:

Congratulates Local 318 of the International Union of Operating Engineers on its 75th anniversary.

CONCURRENCES AND NON-CONCURRENCES IN SENATE AMENDMENTS TO HOUSE BILLS

Senate Amendments numbered 1, 2 and 3 to HOUSE BILL 822, having been printed, were taken up for consideration.

Representative Jerry Mitchell moved that the House concur with the Senate in the adoption of Senate Amendments numbered 1, 2 and 3.

And on that motion, a vote was taken resulting as follows:

101, Yeas; 0, Nays; 1, Answering Present.

(ROLL CALL 2)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendments numbered 1, 2 and 3 to HOUSE BILL 822.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 1019, having been printed, was taken up for consideration. Representative Reis moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

And on that motion, a vote was taken resulting as follows:

103, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 3)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 1019, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 1030, having been printed, was taken up for consideration. Representative Pihos moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

And on that motion, a vote was taken resulting as follows:

103, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 4)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 1030, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 1080, having been printed, was taken up for consideration. Representative Fortner moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

And on that motion, a vote was taken resulting as follows:

103, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 5)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 1080, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 1116, having been printed, was taken up for consideration. Representative Cultra moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

And on that motion, a vote was taken resulting as follows:

101, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 6)

The motion prevailed and the House concurred with the Senate in the adoption of Senate Amendment No. 1 to HOUSE BILL 1116.

Ordered that the Clerk inform the Senate.

Senate Amendment No. 1 to HOUSE BILL 1256, having been printed, was taken up for consideration. Representative Feigenholtz moved that the House concur with the Senate in the adoption of Senate Amendment No. 1.

And on that motion, a vote was taken resulting as follows:

103, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 7)

The motion prevailed and the House concurred with the Senate in the adoption on Senate Amendment No. 1 to HOUSE BILL 1256, by a three-fifths vote.

Ordered that the Clerk inform the Senate.

SENATE BILL ON SECOND READING

SENATE BILL 333. Having been read by title a second time on May 29, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Lang offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend Senate Bill 333 by replacing everything after the enacting clause with the following:

"Section 1. Short title; purpose. This Act may be cited as the State of Illinois Recreational Use of Leased Land Act.

The purpose of this Act is to encourage owners of land through nominal leases to the State of Illinois Department of Natural Resources to make land and water areas available to members of the general public for recreational uses by limiting their liability toward persons entering thereon for such uses.

Section 5. Definitions. As used in this Act, unless the context otherwise requires:

"Land" includes roads, water, watercourses, private ways and buildings, and structures, but does not include residential buildings or residential property.

"Owner-lessor" means the owner of land that is leased to the State of Illinois Department of Natural Resources pursuant to a nominal lease.

"Nominal lease" means any lease between an owner-lessor and the State of Illinois Department of Natural Resources under which the total rent for the term of the lease is less than \$5.

"Leased land" means any land leased by an owner-lessor to the State of Illinois Department of Natural

Resources pursuant to a nominal lease.

"Recreational use" means any activity undertaken for conservation, resource management, exercise, or recreation on leased land.

"Charge" means an admission fee for permission to go upon leased land, but does not include: the sharing of game, fish, or other products of recreational use; or benefits to or arising from the recreational use; or contributions in kind, services or cash made for the purpose of properly conserving the leased land.

"Person" means any person who is a member of the general public, regardless of age, maturity, or experience.

Section 10. No duty. Except as specifically recognized by or provided in Section 15 of this Act, an owner-lessor of leased land shall not be liable for injury of any kind to any person who enters the leased land for a recreational use, except for willful and wanton misconduct. The owner-lessor of leased land owes no duty of ordinary care to keep leased land safe for entry or use by any person for recreational uses, as defined by this Act, or to give any warning of a natural or artificial dangerous condition, use, structure, or activity on the leased land to persons entering for such uses.

Section 15. Willful and wanton failure; charge for entry. Nothing in this Act limits in any way any liability which otherwise exists:

- (a) For willful and wanton failure by an owner-lessor to guard or warn against a dangerous condition, use, structure, or activity on leased land.
- (b) For injury suffered by a person in any case where the owner-lessor of leased land assesses a charge against that person who enters or goes on the leased land for recreational use.

Section 20. Construction. Nothing in this Act shall be construed to:

- (a) Create a duty of ordinary care owed by an owner-lessor to any person on the leased land for a recreational use or to establish the basis for liability of an owner-lessor for injury to persons or property.
- (b) Relieve any person using leased land for recreational uses from any obligation which he or she may have in the absence of this Act to exercise care in his or her use of such leased land and in his or her activities thereon, or from the legal consequences of failure to employ such care.

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

The foregoing motion prevailed and the adopted and ordered reproduced.

There being no further amendments, the foregoing Amendment No. 1 was adopted and the bill, as amended, was advanced to the order of Third Reading.

SENATE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Lang, SENATE BILL 333 was taken up and read by title a third time. A three-fifths vote is required.

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

103, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 8)

This bill, as amended, having received the votes of three-fifths of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate thereof and ask their concurrence in the House amendment/s adopted thereto.

SENATE BILL ON SECOND READING

SENATE BILL 778. Having been recalled on May 31, 2007, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Verschoore offered and withdrew Amendment No. 3.

There being no further amendments, the bill was again advanced to the order of Third Reading.

SENATE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Verschoore, SENATE BILL 778 was taken up and read by title a third time. A three-fifths vote is required.

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

91, Yeas; 11, Nays; 1, Answering Present.

(ROLL CALL 9)

This bill, as amended, having received the votes of three-fifths of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate thereof and ask their concurrence in the House amendment/s adopted thereto.

AGREED RESOLUTIONS

HOUSE RESOLUTION 516 was taken up for consideration.

Representative Currie moved the adoption of the agreed resolution.

The motion prevailed and the agreed resolution was adopted.

At the hour of 11:56 o'clock a.m., Representative Currie moved that the House do now adjourn until Thursday, June 7, 2007, at 8:30 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

14

STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL QUORUM ROLL CALL FOR ATTENDANCE

NO. 1

June 06, 2007

0 YEAS	0 NAYS	104 PRESENT	
P Acevedo	P Dugan	P Krause	P Reboletti
P Arroyo	E Dunkin	P Lang	P Reis
P Bassi	E Dunn	P Leitch	P Reitz
P Beaubien	P Durkin	P Lindner	P Riley
P Beiser	P Eddy	P Lyons	P Rita
P Bellock	E Feigenholtz	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	E May	P Sacia
P Black	P Ford	P McAuliffe	P Saviano
P Boland	P Fortner	P McCarthy	E Schmitz
P Bost	E Franks	P McGuire	P Schock
P Bradley, John	P Fritchey	P Mendoza	P Scully
E Bradley, Richard	P Froehlich	P Meyer	P Smith
P Brady	P Golar	P Miller	E Sommer
P Brauer	P Gordon	P Mitchell, Bill	P Soto
P Brosnahan	E Graham	P Mitchell, Jerry	P Stephens
E Burke	P Granberg	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos	P Molaro	P Tracy
P Coladipietro	P Hannig	P Mulligan	P Tryon
P Cole	P Harris	P Munson	P Turner
E Collins	E Hassert	P Myers	P Verschoore
P Colvin	P Hernandez	P Nekritz	P Wait
E Coulson	P Hoffman	P Osmond	P Washington
P Crespo	P Holbrook	P Osterman	P Watson
P Cross	P Howard	E Patterson	P Winters
P Cultra	P Jakobsson	P Phelps	P Yarbrough (ADDED)
P Currie	P Jefferies	P Pihos	P Younge
P D'Amico	P Jefferson	P Poe	P Mr. Speaker
P Davis, Monique	P Joyce	P Pritchard	
P Davis, William	P Kosel (ADDE	D) P Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 822

ANIMAL CONTROL-DANGEROUS DOGS MOTION TO CONCUR IN SENATE AMENDMENTS NO. 1, 2, 3 CONCURRED

June 06, 2007

101 YEAS	0 NAYS	1 PRESENT	
Y Acevedo Y Arroyo Y Bassi Y Beaubien Y Beiser Y Bellock Y Berrios Y Biggins Y Black Y Boland Y Bost Y Bradley, John E Bradley, Richard Y Brady Y Brauer Y Brosnahan E Burke Y Chapa LaVia Y Coladipietro Y Cole E Collins Y Colvin E Coulson Y Crespo Y Cross	Y Dugan E Dunkin E Dunn Y Durkin Y Eddy E Feigenholtz Y Flider Y Flowers Y Ford Y Fortner E Franks Y Fritchey Y Froehlich Y Golar Y Gordon E Graham Y Granberg Y Hamos Y Hannig Y Harris E Hassert Y Hernandez Y Hoffman Y Holbrook Y Howard	Y Krause Y Lang P Leitch Y Lindner Y Lyons Y Mathias Y Mautino E May Y McAuliffe Y McCarthy Y McGuire Y Mendoza Y Meyer Y Miller Y Mitchell, Bill Y Mitchell, Jerry Y Moffitt Y Molaro Y Mulligan Y Munson Y Myers Y Nekritz Y Osmond Y Osterman E Patterson	Y Reboletti Y Reis Y Reitz Y Riley Y Rita Y Rose Y Ryg Y Sacia Y Saviano E Schmitz Y Schock Y Scully Y Smith E Sommer Y Soto Y Stephens Y Sullivan Y Tracy Y Tryon Y Turner Y Verschoore Y Wait Y Washington Y Watson Y Winters A Yarbrough
Y Cultra Y Currie Y D'Amico Y Davis, Monique Y Davis, William	Y Jakobsson Y Jefferies Y Jefferson Y Joyce E Kosel	Y Phelps Y Pihos Y Poe Y Pritchard Y Ramey	A Yarbrough Y Younge Y Mr. Speaker

ane 6, 2007]

NO. 3

STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 1019

16

ANIMALS-CHEMICAL CONTAMINATION MOTION TO CONCUR IN SENATE AMENDMENT NO. 1 CONCURRED 3/5 VOTE REQUIRED

June 06, 2007

103 YEAS	0 NAYS	0 PRESENT	
Y Acevedo Y Arroyo Y Bassi Y Beaubien Y Beiser Y Bellock Y Berrios Y Biggins Y Black Y Boland Y Bost Y Bradley, John E Bradley, Richard Y Brady Y Brauer Y Brosnahan E Burke Y Chapa LaVia Y Cole E Collins Y Colvin E Coulson Y Crespo	Y Dugan E Dunkin E Dunn Y Durkin Y Eddy E Feigenholtz Y Flider Y Flowers Y Ford Y Fortner E Franks Y Fritchey Y Froehlich Y Golar Y Gordon E Graham Y Granberg Y Hamos Y Hannig Y Harris E Hassert Y Hernandez Y Hoffman Y Holbrook	Y Krause Y Lang Y Leitch Y Lindner Y Lyons Y Mathias Y Mautino E May Y McAuliffe Y McCarthy Y McGuire Y Mendoza Y Meyer Y Miller Y Mitchell, Bill Y Mitchell, Jerry Y Moffitt Y Molaro Y Mulligan Y Myers Y Nekritz Y Osmond Y Osterman	Y Reboletti Y Reis Y Reitz Y Riley Y Rita Y Rose Y Ryg Y Sacia Y Saviano E Schmitz Y Schock Y Scully Y Smith E Sommer Y Soto Y Stephens Y Sullivan Y Tracy Y Tryon Y Turner Y Verschoore Y Wait Y Washington Y Wiston
	1 110111111111		•

E - Denotes Excused Absence

STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 1030

SCH CD-SPEC ED EXPENSES-REPORT MOTION TO CONCUR IN SENATE AMENDMENT NO. 1 CONCURRED 3/5 VOTE REQUIRED

June 06, 2007

103 YEAS	0 NAYS	0 PRESENT	
Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	E Dunkin	Y Lang	Y Reis
Y Bassi	E Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	E May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	E Schmitz
Y Bost	E Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
E Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	E Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	E Graham	Y Mitchell, Jerry	Y Stephens
E Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
E Collins	E Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
E Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 1080 VEH CD & JUV CT-GANGS MOTION TO CONCUR IN SENATE AMENDMENT NO. 1 CONCURRED 3/5 VOTE REQUIRED

18

June 06, 2007

103 YEAS	0 NAYS	0 PRESENT	
Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	E Dunkin	Y Lang	Y Reis
Y Bassi	E Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	E May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	E Schmitz
Y Bost	E Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
E Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	E Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	E Graham	Y Mitchell, Jerry	Y Stephens
E Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
E Collins	E Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
E Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	•
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 1116

VEH CD-FIRE DEPARTMENT PLATES MOTION TO CONCUR IN SENATE AMENDMENT NO. 1 CONCURRED

June 06, 2007

101 YEAS	2 NAYS	0 PRESENT	
Y Acevedo Y Arroyo Y Bassi Y Beaubien Y Beiser Y Bellock Y Berrios Y Biggins Y Black Y Boland Y Bost Y Bradley, John E Bradley, Richard Y Brady Y Brauer Y Brosnahan E Burke Y Chapa LaVia Y Coladipietro Y Cole E Collins Y Colvin E Coulson Y Crespo Y Cross	Y Dugan E Dunkin E Dunn Y Durkin Y Eddy E Feigenholtz Y Flider Y Flowers Y Ford Y Fortner E Franks Y Fritchey Y Froehlich Y Golar Y Gordon E Graham Y Granberg Y Hamos Y Hannig Y Harris E Hassert Y Hernandez Y Hoffman Y Holbrook Y Howard	Y Krause Y Lang Y Leitch Y Lindner Y Lyons Y Mathias Y Mautino E May Y McAuliffe N McCarthy Y McGuire Y Mendoza Y Meyer Y Miller Y Mitchell, Bill Y Mitchell, Jerry Y Moffitt Y Molaro Y Mulligan Y Munson Y Myers Y Nekritz Y Osmond Y Osterman E Patterson	Y Reboletti Y Reis Y Reitz Y Riley Y Rita Y Rose Y Ryg Y Sacia Y Saviano E Schmitz Y Schock Y Scully Y Smith E Sommer Y Soto Y Stephens Y Sullivan Y Tracy Y Tryon Y Turner Y Verschoore Y Wait Y Washington Y Watson Y Winters
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STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL HOUSE BILL 1256

MEDICAID-DISABLED-ELIGIBILITY MOTION TO CONCUR IN SENATE AMENDMENT NO. 1 CONCURRED 3/5 VOTE REQUIRED

June 06, 2007

103 YEAS	0 NAYS	0 PRESENT	
Y Acevedo Y Arroyo Y Bassi Y Beaubien Y Beiser Y Bellock Y Berrios Y Biggins Y Black	Y Dugan E Dunkin E Dunn Y Durkin Y Eddy E Feigenholtz Y Flider Y Flowers Y Ford	Y Krause Y Lang Y Leitch Y Lindner Y Lyons Y Mathias Y Mautino E May Y McAuliffe	Y Reboletti Y Reis Y Reitz Y Riley Y Rita Y Rose Y Ryg Y Sacia Y Saviano
Y Boland Y Bost Y Bradley, John E Bradley, Richard Y Brady Y Brauer Y Brosnahan E Burke Y Chapa LaVia Y Coladipietro Y Cole	Y Fortner E Franks Y Fritchey Y Froehlich Y Golar Y Gordon E Graham Y Granberg Y Hamos Y Hannig Y Harris	Y McCarthy Y McGuire Y Mendoza Y Meyer Y Miller Y Mitchell, Bill Y Mitchell, Jerry Y Moffitt Y Molaro Y Mulligan Y Munson	E Schmitz Y Schock Y Scully Y Smith E Sommer Y Soto Y Stephens Y Sullivan Y Tracy Y Tryon Y Turner
E Collins Y Colvin E Coulson Y Crespo Y Cross Y Cultra Y Currie Y D'Amico Y Davis, Monique Y Davis, William	E Hassert Y Hernandez Y Hoffman Y Holbrook Y Howard Y Jakobsson Y Jefferies Y Jefferson Y Joyce E Kosel	Y Myers Y Nekritz Y Osmond Y Osterman E Patterson Y Phelps Y Pihos Y Poe Y Pritchard Y Ramey	Y Verschoore Y Wait Y Washington Y Watson Y Winters Y Yarbrough Y Younge Y Mr. Speaker

STATE OF ILLINOIS NINETY-FIFTH GENERAL ASSEMBLY HOUSE ROLL CALL SENATE BILL 333 RECREATION LAND USE-VARIETY THIRD READING PASSED 3/5 VOTE REQUIRED

June 06, 2007

103 YEAS	0 NAYS	0 PRESENT	
Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	E Dunkin	Y Lang	Y Reis
Y Bassi	E Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	E May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	E Schmitz
Y Bost	E Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
E Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	E Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	E Graham	Y Mitchell, Jerry	Y Stephens
E Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
E Collins	E Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
E Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	•
Y Davis, William	E Kosel	Y Ramey	

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
SENATE BILL 778
STATE GOVERNMENT-TECH
THIRD READING
PASSED
3/5 VOTE REQUIRED

June 06, 2007

91 YEAS	11 NAYS	1 PRESENT	
Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	E Dunkin	Y Lang	N Reis
Y Bassi	E Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	N Eddy	Y Lyons	Y Rita
Y Bellock	E Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	E May	Y Sacia
N Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	N Fortner	Y McCarthy	E Schmitz
N Bost	E Franks	Y McGuire	N Schock
Y Bradley, John	N Fritchey	Y Mendoza	Y Scully
E Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	E Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	E Graham	Y Mitchell, Jerry	Y Stephens
E Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	N Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
N Cole	Y Harris	N Munson	Y Turner
E Collins	E Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
E Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	P Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	-
Y Davis, William	E Kosel	Y Ramey	