



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

9TH LEGISLATIVE DAY

THURSDAY, FEBRUARY 22, 2007

12:07 O'CLOCK P.M.

SENATE
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9th Legislative Day

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The Senate met pursuant to adjournment.

Senator Debbie DeFrancesco Halvorson, Crete, Illinois, presiding.

Prayer by Dr. Maryam Mostoufi, Islamic Society of Greater Springfield, Springfield, Illinois.

Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, February 21, 2007, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 97
 Senate Committee Amendment No. 1 to Senate Bill 158
 Senate Committee Amendment No. 1 to Senate Bill 229
 Senate Committee Amendment No. 1 to Senate Bill 270
 Senate Committee Amendment No. 1 to Senate Bill 385
 Senate Committee Amendment No. 1 to Senate Bill 1429

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 73

Offered by Senator Haine and all Senators:

Mourns the death of William Seib, Sr., of Collinsville.

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

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

SENATE JOINT RESOLUTION NO. 32

WHEREAS, Democratic, accountable governance in the states generally, and specifically the authority granted to the legislative branch by Illinois' Constitution, is being undermined by international commercial and trade rules enforced by the World Trade Organization (WTO) and established by the North American Free Trade Agreement (NAFTA), and is further threatened by similar provisions in an array of pending trade agreements; and

WHEREAS, Today's "trade" agreements have impacts which extend significantly beyond the bounds of traditional trade matters such as tariffs and quotas, and instead grant foreign investors and service providers certain rights and privileges regarding acquisition of land and facilities and regarding operations within a state's territory, subject state laws to challenge as "non-tariff barriers to trade" in the binding dispute resolution bodies that accompany the pacts, and place limits on the future policy options of state legislatures; and

WHEREAS, NAFTA and other U.S. Free Trade Agreements grant foreign firms new rights and privileges for operating within a state that exceed those granted to U.S. businesses under state and federal law; and

WHEREAS, When states are bound to comply with government procurement provisions contained in

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trade agreements, common economic development and environmental policies, such as buy local laws, prevailing wage laws, policies to prevent offshoring of state jobs as well as recycled content laws could be subject to challenged as violating the obligations in the trade agreements; and

WHEREAS, Recent trade agreements curtail state regulatory authority by placing constraints on future policy options; and

WHEREAS, The WTO General Agreement on Trade in Services (GATS) could undermine state efforts to expand health care coverage and rein in health care costs, and places constraints on state and local land use planning and gambling policy; and

WHEREAS, New General Agreement on Trade in Services (GATS) negotiations could impose additional constraints on state regulation of energy, higher education, professional licensing and more; and

WHEREAS, Despite the indisputable fact that international trade agreements have a far-reaching impact on state and local laws, federal government trade negotiators have failed to respect states' rights to prior informed consent before binding states to conform state law and authority to trade agreement requirements and have refused even to copy state legislatures on key correspondence; and

WHEREAS, The current encroachment on state regulatory authority by international commercial and trade agreements has occurred to no small part because U.S. trade policy is being formulated and implemented under the Fast Track Trade Authority procedure; and

WHEREAS, Fast Track eliminates vital checks and balances established in the U.S. Constitution by broadly delegating Congress' exclusive Constitutional authority to set the terms of trade over to the Executive Branch such that the Executive Branch is empowered to negotiate broad-ranging trade agreements and to sign them prior to Congress voting on the agreements; and

WHEREAS, The ability of the Executive Branch to sign trade agreements prior to Congress' vote of approval means Executive Branch negotiators are able to ignore congressional negotiating objectives or states' demands and neither Congress nor the state have any means to enforce any decision regarding what provisions must be contained in every U.S. trade agreement and what provisions may not be included in any U.S. trade agreement; and

WHEREAS, Federal trade negotiators have ignored and disrespected states' demands regarding whether or not states agree to be bound to certain non-tariff trade agreement provisions; and

WHEREAS, Fast Track also circumvents normal congressional review and amendment committee procedures, limits debate to 20 hours total and forbids any floor amendments to the implementing legislation that is presented to Congress to conform hundreds of U.S. laws to trade agreement obligations and to incorporate the actual trade agreement itself into U.S. federal law which preempts state law; and

WHEREAS, Fast Track Trade Authority is not necessary for negotiating trade agreements as demonstrated by the existence of scores of trade agreements, including major pacts such as the agreements administered by the WTO, implemented in the past thirty years without use of Fast Track; and

WHEREAS, Fast Track, which was established in 1974 by then-President Richard Nixon when trade agreements were limited to traditional matters such as tariffs and quotas, is now woefully outdated and inappropriate given the diverse range of non-trade issues now included in "trade" agreement that broadly affect federal and state non-trade regulatory authority; and

WHEREAS, The current grant of Fast Track expires in July 2007; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the State of Illinois respectfully requests that the United States Congress create a replacement for the outdated Fast Track system so that U.S. trade agreements are developed and implemented using a more

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democratic, inclusive mechanism that enshrines the principles of federalism and state sovereignty; and be it further

RESOLVED, That this new process for developing and implementing trade agreements include an explicit mechanism for ensuring the prior informed consent of state legislatures before states are bound to the non-tariff terms of any trade agreement that affects state regulatory authority so as to ensure that the United States Trade Representative respects the decisions made by states; and be it further

RESOLVED, That that copies of this resolution be immediately transmitted to the Honorable George W. Bush, President of the United States, Ambassador Susan Schwab, United States Trade Representative, the President pro tempore of the United States Senate, the Speaker of the House of Representatives, and the members of the Illinois congressional delegation.

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

SENATE RESOLUTION NO. 72

WHEREAS, For almost a century, beginning in 1673 when Louis Joliet and Jacques Marquette explored the Mississippi River, France claimed the Illinois Country; and

WHEREAS, In 1718 the French reorganized the administration of their American possessions and removed the Illinois Country from Canadian jurisdiction and made it part of Louisiana; and

WHEREAS, In December of 1718 a contingent of soldiers, officials, and workmen were sent to establish a civil government in the region; a wooden fort was constructed eighteen miles north of the village of Kaskaskia from which the civil authority would operate and whose military presence it was hoped would mollify the Fox Tribe; and

WHEREAS, The stockade, named Fort de Chartres in honor of Louis duc de Chartres, son of the regent of France, quickly deteriorated due to frequent flooding; work on a larger fort, located farther inland, began around 1725; and

WHEREAS, During the 1730s the French leaders began discussing building a stone fort to protect their interests in the region; profitable lead deposits had been found on the west bank of the Mississippi near Ste. Genevieve and the rich bottom lands yielded substantial crops which fed New Orleans, St. Louis, and the rest of the territory; and

WHEREAS, In 1747, with the second fort in considerable disrepair, the garrison relocated to nearby Kaskaskia; and

WHEREAS, Construction of the new fort began in the 1750s; the fort was operational by 1754, and additions and improvements continued until 1760; and

WHEREAS, The continued erosion caused by the Mississippi River eventually caused the fort to be abandoned in 1771; and only a year later the south wall and bastions collapsed into the River; and

WHEREAS, Continued flooding, erosion and decay caused the fort to slowly disappear, and by 1900 the only remnant of the fort that existed above ground was the powder magazine, considered by many historians to be the oldest building in Illinois; and

WHEREAS, The site was declared a National Historic Landmark in 1960 and was added to the National Register of Historic Places in 1976; and

WHEREAS, There exists in the area surrounding Fort de Chartres in southern Illinois, the historic resources of three French forts, a French colonial village (St. Anne), two known historic Indian occupational sites (Michigamea), a Jesuit plantation with 2 windmills, a British trading post, the first

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paved road in the Midwestern United States, the location of the first mining operations (St. Philippe), the 10,000 year old Modoc Rock Shelter near East St. Louis, the quarry site for the limestone used to construct the third Fort de Chartres, the first established French Indian reservation (1721), and the colonial village of Prairie du Rocher (1722); therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare our support for the creation of a historical center dedicated to the interpretation and understanding of French colonial life in the United States, to be sited at Fort de Chartres State Park, in Illinois.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has 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. 3

A bill for AN ACT concerning finance.

HOUSE BILL NO. 169

A bill for AN ACT concerning local government.

HOUSE BILL NO. 250

A bill for AN ACT concerning children.

HOUSE BILL NO. 264

A bill for AN ACT concerning government.

HOUSE BILL NO. 305

A bill for AN ACT concerning education.

Passed the House, February 21, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 3, 169, 250, 264 and 305** were taken up, ordered printed and placed on first reading.

REPORT FROM STANDING COMMITTEE

Senator Clayborne, Chairperson of the Committee on Environment and Energy, to which was referred **Senate Bills Numbered 9, 46, 50, 54, 57, 154 and 184**, reported the same back with the recommendation that the bills do pass.

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

COMMITTEE REPORT CORRECTION

Thursday February 22, 2007

The following corrections were made by the Chairperson on the 2nd report of the Senate Rules Committee dated February 21, 2007. The report incorrectly stated the following:

Senate Bill 208 was referred to the Senate Committee on Commerce and Economic Development and to the Senate Committee on Environment and Energy.

Senate Bill 597 was referred to the Senate Committee on State Government and Veterans Affairs and to the Senate Committee on Judiciary – Criminal Law.

Senate Bill 488 was referred to the Senate Committee on Pensions and Investments and to the Senate Committee on Revenue.

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In fact, Senate Bill 208 is referred to the Senate Committee on Commerce and Economic Development.

Senate Bill 597 is referred to the Senate Committee on State Government and Veterans Affairs.

And Senate Bill 488 is referred to the Senate Committee on Pensions and Investments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3, sponsored by Senator Maloney, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 201, sponsored by Senator Sieben, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 305, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, during its February 22, 2007 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Judiciary Criminal Law: **SENATE BILL 300.**

Public Health: **Senate Floor Amendment No. 3 to Senate Bill 4.**

At the hour of 12:48 o'clock p.m., Senator Link presiding.

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 3 to Senate Bill 4

Senate Floor Amendment No. 4 to Senate Bill 4

COMMITTEE REPORT CORRECTION

Senator Halvorson, Chair of the Rules Committee, reports that the Rules Report stated that Floor Amendment 3 to Senate Bill 4 was referred to the Public Health Committee. In fact, no such referral was made, since that particular floor amendment had not been filed at that time.

REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, during its February 22, 2007 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Public Health: **Senate Floor Amendment No. 4 to Senate Bill 4.**

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At the hour of 12:53 o'clock p.m., Senator Halvorson presiding.

COMMITTEE MEETING ANNOUNCEMENTS

Senator Garrett, Chairperson of the Committee on Public Health, announced that the Public Health Committee will meet today in Room 400, at 2:00 o'clock p.m.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, announced that the State Government and Veterans Affairs Committee will meet today in Room 409, at 1:00 o'clock p.m.

Senator Harmon, Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet today in Room 400, at 1:00 o'clock p.m.

Senator Demuzio, Vice Chairperson of the Committee on Education, announced that the Education Committee will meet today in Room 212, at 2:30 o'clock p.m.

At the hour of 12:58 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 5:10 o'clock p.m., the Senate resumed consideration of business.
Senator Halvorson, presiding.

LEGISLATIVE MEASURES FILED

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

Senate Committee Amendment No. 1 to Senate Bill 300
Senate Committee Amendment No. 1 to Senate Bill 486

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

Senate Floor Amendment No. 5 to Senate Bill 4

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has 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. 6

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 9

A bill for AN ACT concerning orders of protection.

HOUSE BILL NO. 25

A bill for AN ACT concerning gaming.

HOUSE BILL NO. 28

A bill for AN ACT concerning State government.

HOUSE BILL NO. 162

A bill for AN ACT concerning criminal law.

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HOUSE BILL NO. 194
 A bill for AN ACT concerning missing persons.
 HOUSE BILL NO. 239
 A bill for AN ACT concerning criminal law.
 HOUSE BILL NO. 257
 A bill for AN ACT concerning human rights.
 HOUSE BILL NO. 310
 A bill for AN ACT concerning local government.
 HOUSE BILL NO. 357
 A bill for AN ACT concerning education.
 HOUSE BILL NO. 382
 A bill for AN ACT concerning education.
 Passed the House, February 22, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 6, 9, 25, 28, 162, 194, 239, 257, 310, 357 and 382** were taken up, ordered printed and placed on first reading.

REPORTS FROM STANDING COMMITTEES

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Bills Numbered 119 and 120**, reported the same back with the recommendation that the bills do pass.

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

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Bill No. 82**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **Senate Bills Numbered 12 and 138**, reported the same back with the recommendation that the bills do pass.

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

Senator Harmon, Chairperson of the Committee on Revenue, to which was referred **Senate Bill No. 13**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Lightford, Chairperson of the Committee on Education, to which was referred **Senate Bill No. 143**, reported the same back with the recommendation that the bill do pass.

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

Senator Garrett, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 4 to Senate Bill 4

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

INTRODUCTION OF BILLS

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SENATE BILL NO. 1754. Introduced by Senator Schoenberg, a bill for AN ACT making appropriations.

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

SENATE BILL NO. 1755. Introduced by Senator Schoenberg, a bill for AN ACT concerning appropriations.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 257, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Garrett, **Senate Bill No. 9,** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 12,** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 13** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 13

AMENDMENT NO. 1. Amend Senate Bill 13 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 15-170 and 15-176 and by adding Section 15-167 as follows:

(35 ILCS 200/15-167 new)

Sec. 15-167. Returning Veterans' Homestead Exemption.

(a) A homestead exemption, limited to a reduction set forth under subsection (b), from the property's value, as equalized or assessed by the Department, is granted for property that is owned and occupied as a residence by a veteran returning from an armed conflict involving the armed forces of the United States who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as a residence by a veteran returning from an armed conflict involving the armed forces of the United States who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. For purposes of the exemption under this Section, "veteran" means an Illinois resident who has served as a member of the United States Armed Forces, a member of the Illinois National Guard, or a member of the United States Reserve Forces.

(b) In all counties, the reduction is \$5,000 and only for the tax year in which the veteran returns from active duty in an armed conflict involving the armed forces of the United States. For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, must be multiplied by the number of apartments or units occupied by a veteran returning from an armed conflict involving the armed forces of the United States who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. In a cooperative where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified

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for the exemption. Any person who willfully refuses to so credit the savings is guilty of a Class B misdemeanor.

(c) Application must be made during the application period in effect for the county of his or her residence. The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire, or other reasonable methods. The determination must be made in accordance with guidelines established by the Department.

(d) The exemption under this Section is in addition to any other homestead provided in Sections 15-170 through 15-176. Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(35 ILCS 200/15-170)

Sec. 15-170. Senior Citizens Homestead Exemption. An annual homestead exemption limited, except as described here with relation to cooperatives or life care facilities, to a maximum reduction set forth below from the property's value, as equalized or assessed by the Department, is granted for property that is occupied as a residence by a person 65 years of age or older who is liable for paying real estate taxes on the property and is an owner of record of the property or has a legal or equitable interest therein as evidenced by a written instrument, except for a leasehold interest, other than a leasehold interest of land on which a single family residence is located, which is occupied as a residence by a person 65 years or older who has an ownership interest therein, legal, equitable or as a lessee, and on which he or she is liable for the payment of property taxes. Before taxable year 2004, the maximum reduction shall be \$2,500 in counties with 3,000,000 or more inhabitants and \$2,000 in all other counties. For taxable years 2004 through 2005, the maximum reduction shall be \$3,000 in all counties. For taxable years 2006 and thereafter, the maximum reduction shall be \$3,500 in all counties.

For land improved with an apartment building owned and operated as a cooperative, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by a person 65 years of age or older who is liable, by contract with the owner or owners of record, for paying property taxes on the property and is an owner of record of a legal or equitable interest in the cooperative apartment building, other than a leasehold interest. For land improved with a life care facility, the maximum reduction from the value of the property, as equalized by the Department, shall be multiplied by the number of apartments or units occupied by persons 65 years of age or older, irrespective of any legal, equitable, or leasehold interest in the facility, who are liable, under a contract with the owner or owners of record of the facility, for paying property taxes on the property. In a cooperative or a life care facility where a homestead exemption has been granted, the cooperative association or the management firm of the cooperative or facility shall credit the savings resulting from that exemption only to the apportioned tax liability of the owner or resident who qualified for the exemption. Any person who willfully refuses to so credit the savings shall be guilty of a Class B misdemeanor. Under this Section and Sections 15-175 and 15-176, "life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act, with which the applicant for the homestead exemption has a life care contract as defined in that Act.

When a homestead exemption has been granted under this Section and the person qualifying subsequently becomes a resident of a facility licensed under the Nursing Home Care Act, the exemption shall continue so long as the residence continues to be occupied by the qualifying person's spouse if the spouse is 65 years of age or older, or if the residence remains unoccupied but is still owned by the person qualified for the homestead exemption.

A person who will be 65 years of age during the current assessment year shall be eligible to apply for the homestead exemption during that assessment year. Application shall be made during the application period in effect for the county of his residence.

Beginning with assessment year 2003, for taxes payable in 2004, property that is first occupied as a residence after January 1 of any assessment year by a person who is eligible for the senior citizens homestead exemption under this Section must be granted a pro-rata exemption for the assessment year. The amount of the pro-rata exemption is the exemption allowed in the county under this Section divided by 365 and multiplied by the number of days during the assessment year the property is occupied as a residence by a person eligible for the exemption under this Section. The chief county assessment officer must adopt reasonable procedures to establish eligibility for this pro-rata exemption.

The assessor or chief county assessment officer may determine the eligibility of a life care facility to receive the benefits provided by this Section, by affidavit, application, visual inspection, questionnaire or other reasonable methods in order to insure that the tax savings resulting from the exemption are credited by the management firm to the apportioned tax liability of each qualifying resident. The assessor may request reasonable proof that the management firm has so credited the exemption.

The chief county assessment officer of each county with less than 3,000,000 inhabitants shall provide to each person allowed a homestead exemption under this Section a form to designate any other person to receive a duplicate of any notice of delinquency in the payment of taxes assessed and levied under this Code on the property of the person receiving the exemption. The duplicate notice shall be in addition to the notice required to be provided to the person receiving the exemption, and shall be given in the manner required by this Code. The person filing the request for the duplicate notice shall pay a fee of \$5 to cover administrative costs to the supervisor of assessments, who shall then file the executed designation with the county collector. Notwithstanding any other provision of this Code to the contrary, the filing of such an executed designation requires the county collector to provide duplicate notices as indicated by the designation. A designation may be rescinded by the person who executed such designation at any time, in the manner and form required by the chief county assessment officer.

The assessor or chief county assessment officer may determine the eligibility of residential property to receive the homestead exemption provided by this Section by application, visual inspection, questionnaire or other reasonable methods. The determination shall be made in accordance with guidelines established by the Department.

In ~~all counties with less than 3,000,000 inhabitants~~, the county board may by resolution provide that if a person has been granted a homestead exemption under this Section, the person qualifying need not reapply for the exemption.

In counties with less than 3,000,000 inhabitants, if the assessor or chief county assessment officer requires annual application for verification of eligibility for an exemption once granted under this Section, the application shall be mailed to the taxpayer.

The assessor or chief county assessment officer shall notify each person who qualifies for an exemption under this Section that the person may also qualify for deferral of real estate taxes under the Senior Citizens Real Estate Tax Deferral Act. The notice shall set forth the qualifications needed for deferral of real estate taxes, the address and telephone number of county collector, and a statement that applications for deferral of real estate taxes may be obtained from the county collector.

Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.

(Source: P.A. 93-511, eff. 8-11-03; 93-715, eff. 7-12-04; 94-794, eff. 5-22-06.)

(35 ILCS 200/15-176)

Sec. 15-176. Alternative general homestead exemption.

(a) For the assessment years as determined under subsection (j), in any county that has elected, by an ordinance in accordance with subsection (k), to be subject to the provisions of this Section in lieu of the provisions of Section 15-175, homestead property is entitled to an annual homestead exemption equal to a reduction in the property's equalized assessed value calculated as provided in this Section.

(b) As used in this Section:

(1) "Assessor" means the supervisor of assessments or the chief county assessment officer of each county.

(2) "Adjusted homestead value" means the lesser of the following values:

(A) The property's base homestead value increased by 7% for each tax year after the base year through and including the current tax year, or, if the property is sold or ownership is otherwise transferred, the property's base homestead value increased by 7% for each tax year after the year of the sale or transfer through and including the current tax year. The increase by 7% each year is an increase by 7% over the prior year.

(B) The property's equalized assessed value for the current tax year minus: (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003; ~~or~~ (ii) \$5,000 in all counties in tax years ~~year~~ 2004 and 2005; and (iii) the lesser of \$5,000 or an amount equal to the increase in the equalized assessed value for the current tax year above the equalized value for 1977 in tax year 2006 and thereafter.

(3) "Base homestead value".

(A) Except as provided in subdivision ~~(b)(3)(A-5)~~ or (b)(3)(B), "base homestead value" means the equalized assessed value of the property for the base year prior to exemptions, minus (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter, provided that it was assessed for that year as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property for that year. Except as provided in subdivision (b)(3)(B), if the property did not have a residential equalized assessed value for the base

year, then "base homestead value" means the base homestead value established by the assessor under subsection (c).

(A-5) On or before July 1, 2007, in Cook County, the base homestead value, as set forth under subdivision (b)(3)(A) and except as provided under subdivision (b) (3) (B), must be recalculated as the equalized assessed value of the property for the base year, prior to exemptions, minus:

(1) if the general assessment year for the property was 2003, the lesser of (i) \$4,500 or (ii) the amount equal to the increase in equalized assessed value for the 2002 tax year above the equalized assessed value for 1977;

(2) if the general assessment year for the property was 2004, the lesser of (i) \$4,500 or (ii) the amount equal to the increase in equalized assessed value for the 2003 tax year above the equalized assessed value for 1977;

(3) if the general assessment year for the property was 2005, the lesser of (i) \$5,000 or (ii) the amount equal to the increase in equalized assessed value for the 2004 tax year above the equalized assessed value for 1977.

(B) If the property is sold or ownership is otherwise transferred, other than sales

or transfers between spouses or between a parent and a child, "base homestead value" means the equalized assessed value of the property at the time of the sale or transfer prior to exemptions, minus: (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003; ~~or~~ (ii) \$5,000 in all counties in tax years ~~year~~ 2004 and 2005; and (iii) the lesser of \$5,000 or an amount equal to the increase in the equalized assessed value for the current tax year above the equalized value for 1977 in tax year 2006 and thereafter, provided that it was assessed as residential property qualified for any of the homestead exemptions under Sections 15-170 through 15-175 of this Code, then in force, and further provided that the property's assessment was not based on a reduced assessed value resulting from a temporary irregularity in the property.

(3.5) "Base year" means (i) tax year 2002 in Cook County or (ii) tax year 2005 or 2006 ~~2002 or 2003~~ in all other

counties in accordance with the designation made by the county as provided in subsection (k).

(4) "Current tax year" means the tax year for which the exemption under this Section is being applied.

(5) "Equalized assessed value" means the property's assessed value as equalized by the Department.

(6) "Homestead" or "homestead property" means:

(A) Residential property that as of January 1 of the tax year is occupied by its owner or owners as his, her, or their principal dwelling place, or that is a leasehold interest on which a single family residence is situated, that is occupied as a residence by a person who has a legal or equitable interest therein evidenced by a written instrument, as an owner or as a lessee, and on which the person is liable for the payment of property taxes. Residential units in an apartment building owned and operated as a cooperative, or as a life care facility, which are occupied by persons who hold a legal or equitable interest in the cooperative apartment building or life care facility as owners or lessees, and who are liable by contract for the payment of property taxes, shall be included within this definition of homestead property.

(B) A homestead includes the dwelling place, appurtenant structures, and so much of the surrounding land constituting the parcel on which the dwelling place is situated as is used for residential purposes. If the assessor has established a specific legal description for a portion of property constituting the homestead, then the homestead shall be limited to the property within that description.

(7) "Life care facility" means a facility as defined in Section 2 of the Life Care Facilities Act.

(c) If the property did not have a residential equalized assessed value for the base year as provided in subdivision (b)(3)(A) of this Section, then the assessor shall first determine an initial value for the property by comparison with assessed values for the base year of other properties having physical and economic characteristics similar to those of the subject property, so that the initial value is uniform in relation to assessed values of those other properties for the base year. The product of the initial value multiplied by the equalized factor for the base year for homestead properties in that county, less: (i) \$4,500 in Cook County or \$3,500 in all other counties in tax years ~~year~~ 2003 ; ~~or~~ (ii) \$5,000 in all counties in tax year 2004 and 2005; and (iii) the lesser of \$5,000 or an amount equal to the increase in the equalized assessed value for the current tax year above the equalized value for 1977 in tax year 2006 and thereafter, is the base homestead value.

For any tax year for which the assessor determines or adjusts an initial value and hence a base

homestead value under this subsection (c), the initial value shall be subject to review by the same procedures applicable to assessed values established under this Code for that tax year.

(d) The base homestead value shall remain constant, except that the assessor may revise it under the following circumstances:

(1) If the equalized assessed value of a homestead property for the current tax year is less than the previous base homestead value for that property, then the current equalized assessed value (provided it is not based on a reduced assessed value resulting from a temporary irregularity in the property) shall become the base homestead value in subsequent tax years.

(2) For any year in which new buildings, structures, or other improvements are constructed on the homestead property that would increase its assessed value, the assessor shall adjust the base homestead value as provided in subsection (c) of this Section with due regard to the value added by the new improvements.

(3) If the property is sold or ownership is otherwise transferred, the base homestead value of the property shall be adjusted as provided in subdivision (b)(3)(B). This item (3) does not apply to sales or transfers between spouses or between a parent and a child.

(4) the recalculation required in Cook County under subdivision (b)(3)(A-5).

(e) The amount of the exemption under this Section is the equalized assessed value of the homestead property for the current tax year, minus the adjusted homestead value, with the following exceptions:

(1) In Cook County, the ~~the~~ exemption under this Section shall not exceed \$20,000 for any taxable year through tax year:

(i) 2005, if the general assessment year for the property is 2003;

(ii) 2006, if the general assessment year for the property is 2004; or

(iii) 2007, if the general assessment year for the property is 2005.

Thereafter, in Cook County, the exemption under this Section shall not exceed \$60,000 for any taxable year.

(1.5) For all tax years in all other counties other than Cook County, the exemption under this Section shall not exceed \$60,000 for any taxable year.

(2) In the case of homestead property that also qualifies for the exemption under Section 15-172, the property is entitled to the exemption under this Section, limited to the amount of (i) \$4,500 in Cook County or \$3,500 in all other counties in tax year 2003 or (ii) \$5,000 in all counties in tax year 2004 and thereafter.

(f) In the case of an apartment building owned and operated as a cooperative, or as a life care facility, that contains residential units that qualify as homestead property under this Section, the maximum cumulative exemption amount attributed to the entire building or facility shall not exceed the sum of the exemptions calculated for each qualified residential unit. The cooperative association, management firm, or other person or entity that manages or controls the cooperative apartment building or life care facility shall credit the exemption attributable to each residential unit only to the apportioned tax liability of the owner or other person responsible for payment of taxes as to that unit. Any person who willfully refuses to so credit the exemption is guilty of a Class B misdemeanor.

(g) When married persons maintain separate residences, the exemption provided under this Section shall be claimed by only one such person and for only one residence.

(h) In the event of a sale or other transfer in ownership of the homestead property, the exemption under this Section shall remain in effect for the remainder of the tax year in which the sale or transfer occurs, but (other than for sales or transfers between spouses or between a parent and a child) shall be calculated using the new base homestead value as provided in subdivision (b)(3)(B). The assessor may require the new owner of the property to apply for the exemption in the following year.

(i) The assessor may determine whether property qualifies as a homestead under this Section by application, visual inspection, questionnaire, or other reasonable methods. Each year, at the time the assessment books are certified to the county clerk by the board of review, the assessor shall furnish to the county clerk a list of the properties qualified for the homestead exemption under this Section. The list shall note the base homestead value of each property to be used in the calculation of the exemption for the current tax year.

(j) In counties with 3,000,000 or more inhabitants, the provisions of this Section apply as follows:

(1) If the general assessment year for the property is 2003, this Section applies for assessment years 2003, 2004, ~~and~~ 2005, ~~2006, 2007, and 2008~~. Thereafter, the provisions of Section 15-175 apply.

(2) If the general assessment year for the property is 2004, this Section applies for assessment years 2004, 2005, ~~and~~ 2006, ~~2007, 2008, and 2009~~. Thereafter, the provisions of Section 15-175 apply.

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(3) If the general assessment year for the property is 2005, this Section applies for assessment years 2005, 2006, ~~and 2007~~, ~~2008~~, ~~2009~~, and ~~2010~~. Thereafter, the provisions of Section 15-175 apply.

In counties with less than 3,000,000 inhabitants, this Section applies for assessment years

(i) ~~2006, 2007, and 2008, and 2009 if tax year 2005~~ ~~2003, 2004, and 2005 if 2002~~ is the designated base year or (ii) ~~2007, 2008, 2009, and 2010 if tax year 2006~~ ~~2004, 2005, and 2006 if 2003~~ is the designated base year. Thereafter, the provisions of Section 15-175 apply.

(k) To be subject to the provisions of this Section in lieu of Section 15-175, a county must adopt an ordinance to subject itself to the provisions of this Section within 6 months after the effective date of this amendatory Act of the ~~95th General Assembly~~ ~~93rd General Assembly~~. In a county other than Cook County, the ordinance must designate either tax year ~~2005~~ ~~2002~~ or tax year ~~2006~~ ~~2003~~ as the base year.

(l) Notwithstanding Sections 6 and 8 of the State Mandates Act, no reimbursement by the State is required for the implementation of any mandate created by this Section.
(Source: P.A. 93-715, eff. 7-12-04.)

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:
(30 ILCS 805/8.31 new)

Sec. 8.31. 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 95th General Assembly.

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 Garrett, **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 Cullerton, **Senate Bill No. 50**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Watson, **Senate Bill No. 54**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **Senate Bill No. 57**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 119**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **Senate Bill No. 120**, 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. 138**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Collins, **Senate Bill No. 143**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **Senate Bill No. 154**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **Senate Bill No. 184**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **Senate Bill No. 14**, having been printed, was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Harmon, **Senate Bill No. 20**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sieben, **Senate Bill No. 29**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **Senate Bill No. 31**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **Senate Bill No. 55**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **Senate Bill No. 65**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **Senate Bill No. 77**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 152**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Viverito, **Senate Bill No. 186** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 186

AMENDMENT NO. 1. Amend Senate Bill 186 on page 1, line 19, after "Revenue" by inserting "for the year 1998".

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 Schoenberg, **Senate Bill No. 4** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 4

AMENDMENT NO. 1. Amend Senate Bill 4 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Stem Cell Research and Human Cloning Prohibition Act.

Section 5. Policy permitting research. The policy of the State of Illinois shall be as follows:

(1) Research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source, including somatic cell nuclear transplantation, shall be permitted and the ethical and medical implications of this research shall be given full consideration.

(2) Research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells, including somatic cell nuclear transplantation, shall be allowed to receive public funds through a program established specifically for the purpose of supporting stem cell research in Illinois under the Department of Public Health.

(3) Stem cell research is considered valuable to the health and well being of all and the unhindered distribution of research materials to all qualified investigators engaged in non-commercial research shall be encouraged within the confines of the law.

Section 10. Definitions. As used in this Act:

"Department" means the Department of Public Health.

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"Institute" means the Illinois Regenerative Medicine Institute.

"Committee" means the Illinois Regenerative Medicine Institute Oversight Committee.

Section 15. Department grant program.

(a) The Department of Public Health shall develop and administer the Illinois Regenerative Medicine Institute Program within the Department to provide for the awarding of grants to Illinois medical research institutions.

(b) The purposes of the Institute grant program are:

(1) to improve the health of the citizens of Illinois through stem cell research;

(2) to support scientific research in Illinois for which funding from the U.S.

government is currently restricted, namely human embryonic stem cell research;

(3) to improve the national competitive position of Illinois in the field of regenerative medicine; and

(4) to promote the translation of stem cell research into clinical practice and the transfer of technology to biomedical and technological industry.

(c) The Department shall adopt rules for the implementation of the Institute grant program, including but not limited to:

(1) rules for the solicitation of proposals for grants;

(2) rules concerning the eligibility of nonprofit Illinois medical research institutions to receive awards under the Institute grant program;

(3) rules for the conduct of competitive and scientific peer review of all proposals submitted under the Institute grant program;

(4) rules for the procurement of materials for the conduct of stem cell research, including rules ensuring that persons are empowered to make voluntary and informed decisions to participate or to refuse to participate in such research, and ensuring confidentiality of such decisions; and

(5) rules concerning the monitoring of funded research to ensure the researcher is following current best practices with respect to medical ethics, including informed consent of patients and the protection of human subjects.

Section 20. Illinois Regenerative Medicine Institute Oversight Committee.

(a) The Illinois Regenerative Medicine Institute Oversight Committee shall be established to determine the awards under the Institute grant program. The Committee shall be composed of 7 members appointed by the Governor, with the advice and consent of the Senate.

(b) The Committee shall consist of individuals from:

(1) professional medical organizations;

(2) voluntary health organizations; and

(3) for-profit biomedical or biotechnology industry.

(c) The Committee shall at all times include at least one member from each of the 3 categories listed in subsection (b) of this Section.

(d) No member of the Committee shall be employed by an Illinois medical research institution eligible to receive awards under the Institute grant program.

(e) Upon appointment, the Governor shall designate 3 members to serve a 2-year term and 4 members to serve a 4-year term. The Committee shall designate a Chairperson, Vice-Chairperson, and Secretary. Any vacancy occurring in the membership of the Committee shall be filled in the same manner as the original appointment.

(f) No member of the Committee may receive compensation for his or her services, but each member may be reimbursed for expenses incurred in the performance of his or her duties.

(g) The duties and responsibilities of the Committee shall include, but not be limited to:

(1) determination of awards under the Institute grant program, based on recommendations developed under the competitive and scientific peer review process provided for in subdivision (c) (3) of Section 15 of this Act;

(2) review of the Department's solicitation and scientific peer review processes to ensure that the statutory purposes of the Institute grant program are met;

(3) development, in cooperation with Department staff, general guidelines for the conduct of funded research according to current best practices with respect to medical ethics, in consultation with national and international experts such as the International Society for Stem Cell Research, the California Institute for Regenerative Medicine, the Institute of Medicine, and similar

organizations; and

- (4) advice on the future conduct of the Institute grant program.

Section 25. Conflict of interest.

(a) A person has a conflict of interest if any Committee action with respect to a matter may directly or indirectly financially benefit any of the following:

- (1) That person.
- (2) That person's spouse, immediate family living with that person, or that person's extended family.
- (3) Any individual or entity required to be disclosed by that person.
- (4) Any other individual or entity with which that person has a business or professional relationship.

(b) A Committee member who has a conflict of interest with respect to a matter may not discuss that matter with other Committee members and shall not vote upon or otherwise participate in any Committee action with respect to that matter. Each recusal occurring during a Committee meeting shall be made a part of the minutes or recording of the meeting in accordance with the Open Meetings Act.

(c) The Institute shall not allow any Institute employee to participate in the processing of, or to provide any advice concerning, any matter with which the Institute employee has a conflict of interest.

Section 30. Disclosure of Committee member income and interests.

(a) Each Committee member shall file with the Secretary of State a written disclosure of the following with respect to the member, the member's spouse, and any immediate family living with the member:

- (1) Each source of income.
- (2) Each entity in which the member, spouse, or immediate family living with the member has an ownership or distributive income share that is not an income source required to be disclosed under item (1) of this subsection (a).
- (3) Each entity in or for which the member, spouse, or immediate family living with the member serves as an executive, officer, director, trustee, or fiduciary.
- (4) Each entity with which the member, member's spouse, or immediate family living with the member has a contract for future income.

(b) Each appointed Committee member shall file the disclosure required by subsection (a) of this Section at the time the member is appointed and at the time of any reappointment of that member.

(c) Each Committee member shall file an updated disclosure with the Secretary of State promptly after any change in the items required to be disclosed under this subsection with respect to the member, the member's spouse, or any immediate family living with the member.

(d) The requirements of Section 3A-30 of the Illinois Governmental Ethics Act and any other disclosures required by law apply to this Act.

(e) Filed disclosures shall be public records.

Section 35. Disclosure of proposed Institute funding recipients.

(a) Each Institute request to the Committee for approval of proposed stem cell research funding must be accompanied by a written disclosure that identifies the proposed funding recipient and any executives, officers, directors, trustees, fiduciaries, owners, parent company, subsidiaries, affiliates, and institutional or organizational host of the proposed funding recipient.

(b) A proposed Institute stem cell research funding request shall not be approved by the Committee unless and until the Committee receives the disclosure.

(c) Disclosures provided to the Committee are public records.

Section 40. Cloning prohibited.

(a) No person may clone or attempt to clone a human being. For purposes of this Section, "clone or attempt to clone a human being" means to transfer to a uterus or attempt to transfer to a uterus anything other than the product of fertilization of an egg of a human female by a sperm of a human male for the purpose of initiating a pregnancy that could result in the creation of a human fetus or the birth of a human being.

(b) A person who violates this Section is guilty of a Class A misdemeanor for the first conviction and a Class 4 felony for subsequent convictions.

Section 45. Purchase or sale prohibited.

(a) A person may not knowingly, for valuable consideration, purchase or sell embryonic or cadaveric

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fetal tissue for research purposes.

(b) For the purpose of this Section, the giving or receiving of reasonable payment for the removal, processing, disposal, preservation, quality control, storage, transplantation, or implantation of the tissue does not constitute purchase or sale. This Section does not prohibit reimbursement for removal, storage, or transportation of embryonic or cadaveric fetal tissue for research purposes pursuant to this Act.

(c) A person who knowingly purchases or sells embryonic or cadaveric fetal tissue for research purposes in violation of subsection (a) of this Section is guilty of a Class A misdemeanor for the first conviction and a Class 4 felony for subsequent convictions.

Section 50. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application."

Senate Floor Amendment No. 2 was held in the Committee on Rules.

Senate Floor Amendment No. 3 was referred to the Committee on Rules earlier today.

Senator Schoenberg offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 4

AMENDMENT NO. 4. Amend Senate Bill 4, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 5, by inserting immediately below line 21 the following:

"(h) All Institute information concerning medical research shall be confidential and privileged and not subject to disclosure to any person other than Institute personnel."; and

on page 6, by inserting immediately below line 14 the following:

"(c) A member of a scientific peer review panel or any other advisory committee that may be established by the Department who has a conflict of interest with respect to a matter may not discuss that matter with other peer review panel or advisory committee members or with Committee members and shall not vote or otherwise participate in any peer review panel or advisory committee action with respect to that matter. Each recusal of a peer review panel or advisory committee member occurring during a peer review panel or advisory committee meeting shall be made a part of the minutes or recording of the meeting in accordance with the Open Meetings Act."; and

on page 6, line 15, by changing "(c)" to "(d)"; and

on page 6, by replacing lines 19 through 21 with the following:

"Section 30. Disclosure of Committee, scientific peer review panel, or advisory committee member income and interests.

(a) Each Committee, scientific peer review panel, and any advisory committee member shall file with the Secretary of"; and

on page 7, line 12, by inserting after "member" the following:

"and each member of a scientific peer review panel and any advisory committee member"; and

on page 7, line 16, by inserting after "member" the following:

"and each member of a scientific peer review panel and any advisory committee member"; and

on page 8, by replacing line 24 with the following:

"4 felony for the first conviction and a Class 1 felony for".

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 5 was referred to the Committee on Rules earlier today.

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

At the hour of 5:45 o'clock p.m., the Chair announced that the Senate stand adjourned until Friday, February 23, 2007, at 10:00 o'clock a.m.

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