



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIFTH GENERAL ASSEMBLY

23RD LEGISLATIVE DAY

TUESDAY, MARCH 27, 2007

1:04 O'CLOCK P.M.

SENATE
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The Senate met pursuant to adjournment.
 Senator Rickey R. Hendon, Chicago, Illinois, presiding.
 Prayer by Rabbi Michael Datz, Temple B'rith Sholom, Springfield, Illinois.
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Thursday, March 22, 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.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

DNR Report Pursuant to Public Act 87-522 (Flex time), submitted by the Department of Natural Resources.

DVA Report Pursuant to Public Act 87-522 (Flex time), submitted by the Department of Veterans' Affairs.

Charter Schools Annual Report for School Year 2005 – 2006, submitted by the Illinois State Board of Education.

School Finance Authority Annual Report and Plan, Round Lake School District 116, submitted by the Illinois State Board of Education.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 1 to Senate Bill 21
 Senate Floor Amendment No. 2 to Senate Bill 21
 Senate Floor Amendment No. 3 to Senate Bill 113
 Senate Floor Amendment No. 1 to Senate Bill 123
 Senate Floor Amendment No. 1 to Senate Bill 124
 Senate Floor Amendment No. 2 to Senate Bill 128
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 Senate Floor Amendment No. 1 to Senate Bill 388
 Senate Floor Amendment No. 3 to Senate Bill 417
 Senate Floor Amendment No. 2 to Senate Bill 424
 Senate Floor Amendment No. 3 to Senate Bill 435
 Senate Floor Amendment No. 2 to Senate Bill 450
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Senate Floor Amendment No. 2 to Senate Bill 481
Senate Floor Amendment No. 5 to Senate Bill 486
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Senate Floor Amendment No. 1 to Senate Bill 500
Senate Floor Amendment No. 3 to Senate Bill 509
Senate Floor Amendment No. 1 to Senate Bill 536
Senate Floor Amendment No. 1 to Senate Bill 538
Senate Floor Amendment No. 1 to Senate Bill 543
Senate Floor Amendment No. 2 to Senate Bill 544
Senate Floor Amendment No. 2 to Senate Bill 573
Senate Floor Amendment No. 2 to Senate Bill 581
Senate Floor Amendment No. 2 to Senate Bill 591
Senate Floor Amendment No. 2 to Senate Bill 593
Senate Floor Amendment No. 3 to Senate Bill 662
Senate Floor Amendment No. 3 to Senate Bill 665
Senate Floor Amendment No. 2 to Senate Bill 671
Senate Floor Amendment No. 1 to Senate Bill 680
Senate Floor Amendment No. 1 to Senate Bill 710
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Senate Floor Amendment No. 2 to Senate Bill 764
Senate Floor Amendment No. 2 to Senate Bill 765
Senate Floor Amendment No. 3 to Senate Bill 765
Senate Floor Amendment No. 2 to Senate Bill 774
Senate Floor Amendment No. 3 to Senate Bill 774
Senate Floor Amendment No. 1 to Senate Bill 776
Senate Floor Amendment No. 2 to Senate Bill 794
Senate Floor Amendment No. 1 to Senate Bill 795
Senate Floor Amendment No. 1 to Senate Bill 800
Senate Floor Amendment No. 1 to Senate Bill 811
Senate Floor Amendment No. 1 to Senate Bill 821
Senate Floor Amendment No. 1 to Senate Bill 824
Senate Floor Amendment No. 1 to Senate Bill 826
Senate Floor Amendment No. 1 to Senate Bill 829
Senate Floor Amendment No. 1 to Senate Bill 841
Senate Floor Amendment No. 1 to Senate Bill 843
Senate Floor Amendment No. 1 to Senate Bill 844
Senate Floor Amendment No. 1 to Senate Bill 845
Senate Floor Amendment No. 1 to Senate Bill 850
Senate Floor Amendment No. 2 to Senate Bill 934
Senate Floor Amendment No. 1 to Senate Bill 935
Senate Floor Amendment No. 1 to Senate Bill 937
Senate Floor Amendment No. 1 to Senate Bill 996
Senate Floor Amendment No. 2 to Senate Bill 1005
Senate Floor Amendment No. 2 to Senate Bill 1006
Senate Floor Amendment No. 1 to Senate Bill 1095
Senate Floor Amendment No. 1 to Senate Bill 1097
Senate Floor Amendment No. 1 to Senate Bill 1169
Senate Floor Amendment No. 2 to Senate Bill 1169
Senate Floor Amendment No. 1 to Senate Bill 1183
Senate Floor Amendment No. 2 to Senate Bill 1184
Senate Floor Amendment No. 2 to Senate Bill 1208
Senate Floor Amendment No. 2 to Senate Bill 1245
Senate Floor Amendment No. 2 to Senate Bill 1249
Senate Floor Amendment No. 2 to Senate Bill 1250
Senate Floor Amendment No. 3 to Senate Bill 1250
Senate Floor Amendment No. 1 to Senate Bill 1257
Senate Floor Amendment No. 2 to Senate Bill 1257
Senate Floor Amendment No. 3 to Senate Bill 1291

Senate Floor Amendment No. 4 to Senate Bill 1305
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 Senate Floor Amendment No. 1 to Senate Bill 1381
 Senate Floor Amendment No. 1 to Senate Bill 1383
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 Senate Floor Amendment No. 2 to Senate Bill 1746
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MESSAGES 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. 33

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 961

A bill for AN ACT concerning local government.

HOUSE BILL NO. 975

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 978

A bill for AN ACT concerning finance.

HOUSE BILL NO. 979

A bill for AN ACT concerning State government.

HOUSE BILL NO. 986

A bill for AN ACT concerning business.

HOUSE BILL NO. 991

A bill for AN ACT concerning coroners.

HOUSE BILL NO. 1041

A bill for AN ACT concerning local government.

HOUSE BILL NO. 1074

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 1076

A bill for AN ACT concerning criminal law.

Passed the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

[March 27, 2007]

The foregoing **House Bills Numbered 33, 961, 975, 978, 979, 986, 991, 1041, 1074 and 1076** were taken up, ordered printed and placed on first reading.

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. 1058
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1082
A bill for AN ACT concerning health.
HOUSE BILL NO. 1084
A bill for AN ACT concerning business.
HOUSE BILL NO. 1138
A bill for AN ACT concerning vehicles.
HOUSE BILL NO. 1232
A bill for AN ACT concerning finance.
HOUSE BILL NO. 1236
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 1238
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1241
A bill for AN ACT concerning finance.
HOUSE BILL NO. 1243
A bill for AN ACT concerning finance.
HOUSE BILL NO. 1251
A bill for AN ACT concerning local government.
HOUSE BILL NO. 1254
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1256
A bill for AN ACT concerning public aid.
HOUSE BILL NO. 1257
A bill for AN ACT concerning aging.
HOUSE BILL NO. 1284
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 1288
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 1348
A bill for AN ACT concerning education.
Passed the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1058, 1082, 1084, 1138, 1232, 1236, 1238, 1241, 1243, 1251, 1254, 1256, 1257, 1284, 1288 and 1348** were taken up, ordered printed and placed on first reading.

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. 1246
A bill for AN ACT concerning fire safety.
HOUSE BILL NO. 1301

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A bill for AN ACT concerning State government.
HOUSE BILL NO. 1308
A bill for AN ACT concerning property.
HOUSE BILL NO. 1313
A bill for AN ACT concerning education.
HOUSE BILL NO. 1355
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1363
A bill for AN ACT concerning education.
HOUSE BILL NO. 1384
A bill for AN ACT concerning energy efficiency.
HOUSE BILL NO. 1399
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1423
A bill for AN ACT concerning regulation.
Passed the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1246, 1301, 1308, 1313, 1355, 1363, 1384, 1399 and 1423** were taken up, ordered printed and placed on first reading.

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. 1425
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 1452
A bill for AN ACT concerning health.
HOUSE BILL NO. 1456
A bill for AN ACT concerning civil law.
HOUSE BILL NO. 1481
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1491
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1499
A bill for AN ACT concerning transportation.
HOUSE BILL NO. 1525
A bill for AN ACT concerning State government.
HOUSE BILL NO. 1538
A bill for AN ACT concerning public aid.
HOUSE BILL NO. 1540
A bill for AN ACT concerning public aid.
Passed the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1425, 1452, 1456, 1481, 1491, 1499, 1525, 1538 and 1540** were taken up, ordered printed and placed on first reading.

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:

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HOUSE BILL NO. 1545
 A bill for AN ACT concerning gaming.
 HOUSE BILL NO. 1554
 A bill for AN ACT concerning transportation.
 HOUSE BILL NO. 1610
 A bill for AN ACT concerning public safety.
 HOUSE BILL NO. 1611
 A bill for AN ACT concerning regulation.
 HOUSE BILL NO. 1630
 A bill for AN ACT concerning local government.
 HOUSE BILL NO. 1643
 A bill for AN ACT concerning public health.
 HOUSE BILL NO. 1660
 A bill for AN ACT concerning radon awareness.
 HOUSE BILL NO. 1666
 A bill for AN ACT concerning forest preserve districts.
 HOUSE BILL NO. 1670
 A bill for AN ACT concerning local government.
 HOUSE BILL NO. 1673
 A bill for AN ACT concerning forest preserve districts.
 Passed the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1545, 1554, 1610, 1611, 1630, 1643, 1660, 1666, 1670 and 1673** were taken up, ordered printed and placed on first reading.

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. 1705
 A bill for AN ACT concerning civil law.
 HOUSE BILL NO. 1729
 A bill for AN ACT concerning regulation.
 HOUSE BILL NO. 1741
 A bill for AN ACT concerning agriculture.
 HOUSE BILL NO. 1768
 A bill for AN ACT concerning State government.
 HOUSE BILL NO. 1790
 A bill for AN ACT concerning courts.
 HOUSE BILL NO. 1882
 A bill for AN ACT concerning public health.
 HOUSE BILL NO. 1917
 A bill for AN ACT concerning advisory referenda.
 HOUSE BILL NO. 1922
 A bill for AN ACT concerning education.
 HOUSE BILL NO. 1923
 A bill for AN ACT concerning transportation.
 Passed the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1705, 1729, 1741, 1768, 1790, 1882, 1917, 1922 and 1923** were taken up, ordered printed and placed on first reading.

[March 27, 2007]

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. 1926
A bill for AN ACT concerning education.
HOUSE BILL NO. 1947
A bill for AN ACT concerning regulation.
HOUSE BILL NO. 1969
A bill for AN ACT concerning education.
HOUSE BILL NO. 1972
A bill for AN ACT concerning criminal law.
HOUSE BILL NO. 2023
A bill for AN ACT concerning State government.
HOUSE BILL NO. 2035
A bill for AN ACT concerning State government.
HOUSE BILL NO. 3374
A bill for AN ACT concerning State government.
HOUSE BILL NO. 3394
A bill for AN ACT concerning State government.
HOUSE BILL NO. 3454
A bill for AN ACT concerning local government.
HOUSE BILL NO. 3487
A bill for AN ACT concerning government.
HOUSE BILL NO. 3593
A bill for AN ACT concerning local government.
Passed the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

The foregoing **House Bills Numbered 1926, 1947, 1969, 1972, 2023, 2035, 3374, 3394, 3454, 3487 and 3593** were taken up, ordered printed and placed on first reading.

A message from the House by
Mr. Mahoney, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 41

Concurred in by the House, March 22, 2007.

MARK MAHONEY, Clerk of the House

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION 116

Offered by Senator Koehler and all Senators:
Mourns the death of Nancy Baldner of Peoria.

SENATE RESOLUTION 117

Offered by Senator Clayborne and all Senators:
Mourns the death of Arralean (Luster) Brown of East St. Louis.

SENATE RESOLUTION 118

Offered by Senator Harmon and all Senators:
Mourns the death of Mary K. Podesta of Washington, D.C., formerly of Chicago.

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SENATE RESOLUTION 119

Offered by Senator Lightford and all Senators:
Mourns the death of Mozell Shavers of Chicago.

SENATE RESOLUTION 120

Offered by Senator Koehler and all Senators:
Mourns the death of William E. Fielding of Peoria.

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

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

SENATE RESOLUTION NO. 121

WHEREAS, The month of April has been designated "National Child Abuse Prevention Month" as an annual tradition that was initiated in 1979 by former President Jimmy Carter; and

WHEREAS, The most recent National Child Abuse and Neglect Data System (NCANDS) figures show that almost 900,000 children were victims of abuse and neglect in the United States in 2002, causing unspeakable pain and suffering to our most vulnerable citizens; among the children who are victims of abuse and neglect, nearly four children die each day in this country; and

WHEREAS, Children age one and younger accounted for 41.2 percent of child abuse and neglect fatalities in 2002, and children age four and younger accounted for 76.1 percent of all child abuse and neglect fatalities in 2002; and

WHEREAS, Abusive head trauma, including the trauma known as Shaken Baby Syndrome, is recognized as the leading cause of death of physically abused children; Shaken Baby Syndrome is a totally preventable form of child abuse, caused by a caregiver losing control and shaking a baby that is usually less than one year in age; it can result in loss of vision, brain damage, paralysis, seizures, or death; and

WHEREAS, A 2003 report in the Journal of the American Medical Association estimates that, in the United States, an average of 300 children will die each year, and 600 to 1,200 more will be injured, of whom two-thirds will be babies or infants under one year in age, as a result of Shaken Baby Syndrome, with many cases resulting in severe and permanent disabilities; and

WHEREAS, Medical professionals believe that thousands of additional cases of Shaken Baby Syndrome are being misdiagnosed or not detected; and

WHEREAS, Shaken Baby Syndrome often results in permanent, irreparable brain damage or death to an infant and may result in more than \$1,000,000 in medical costs to care for a single, disabled child in just the first few years of life; and

WHEREAS, The most effective solution for ending Shaken Baby Syndrome is to prevent such abuse, and it is clear that the minimal costs of education and prevention programs may prevent enormous medical and disability costs and untold grief for many families; and

WHEREAS, Prevention programs have demonstrated that educating new parents about the danger of shaking young children and how they can help protect their child from injury can bring about a significant reduction in the number of cases of Shaken Baby Syndrome; and

WHEREAS, Education programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives; and

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WHEREAS, Efforts to prevent Shaken Baby Syndrome are supported by advocacy groups across the United States that were formed by parents and relatives of children who have been killed or injured by shaking, such as the National Shaken Baby Coalition, the Shaken Baby Association, the SKIPPER (Shaking Kills: Instead Parents Please Educate and Remember) Initiative, the Shaken Baby Alliance, Shaken Baby Prevention, Inc., A Voice for Gabbi, Don't Shake Jake, and the Kierra Harrison Foundation, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and victim's families in the health care and criminal justice systems; and

WHEREAS, Child abuse prevention programs and "National Shaken Baby Syndrome Awareness Week" are supported by the National Shaken Baby Coalition, the National Center on Shaken Baby Syndrome, the Children's Defense Fund, the American Academy of Pediatrics, the Child Welfare League of America, Prevent Child Abuse America, the National Child Abuse Coalition, the National Exchange Club Foundation, the American Humane Association, the American Professional Society on the Abuse of Children, the Arc of the United States, the Association of University Centers on Disabilities, Children's Healthcare is a Legal Duty, Family Partnership, Family Voices, National Alliance of Children's Trust and Prevention Funds, United Cerebral Palsy, the National Association of Children's Hospitals and related institutions, Never Shake a Baby Arizona/Prevent Child Abuse Arizona, the Center for Child Protection and Family Support, and many other organizations; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that in honor of survivors of Shaken Baby Syndrome like Taylor Nicole (Pinkas) Rogers of Edwardsville and Kristina Simmons of Decatur, and in honor of all the other precious children that did or did not survive, we hereby designate April 16-22, 2007, as "Shaken Baby Syndrome Awareness Week" in the State of Illinois; and be it further

RESOLVED, That we commend those hospitals, child care councils, schools, and other organizations that are working to increase awareness of the danger of shaking young children and educate parents and caregivers as to how they can help protect children from such injuries; and be it further

RESOLVED, That we encourage the people of Illinois to remember the victims of Shaken Baby Syndrome and to participate in educational programs to help prevent Shaken Baby Syndrome; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the National Shaken Baby Coalition.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 33, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 182, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 351, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 427, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 634, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 679, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Rules.

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House Bill No. 808, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 819, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 895, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 961, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 978, sponsored by Senator Schoenberg, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 979, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 991, sponsored by Senator Millner, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1058, sponsored by Senator Sandoval, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1074, sponsored by Senator Halvorson, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1082, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1138, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1232, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1238, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1243, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1254, sponsored by Senator Schoenberg, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1256, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1293, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1301, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1308, sponsored by Senator Forby, was taken up, read by title a first time and referred to the Committee on Rules.

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House Bill No. 1313, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1348, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1355, sponsored by Senator Noland, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1363, sponsored by Senator Bomke, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1384, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1399, sponsored by Senator Righter, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1423, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1491, sponsored by Senator Wilhelmi, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1499, sponsored by Senator Bomke, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1525, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1538, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1540, sponsored by Senator Radogno, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1611, sponsored by Senator Link, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1630, sponsored by Senator Frerichs, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1670, sponsored by Senator Jacobs, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1729, sponsored by Senator Maloney, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1790, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1882, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1922, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 1923, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

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House Bill No. 1969, sponsored by Senator Bomke, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3394, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3454, sponsored by Senator Millner, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3487, sponsored by Senator Bomke, was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 3593, sponsored by Senator Wilhelmi, 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. 133** having been printed, was taken up, read by title a second time.

Senator Garrett offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 133

AMENDMENT NO. 1. Amend Senate Bill 133 by replacing everything after the enacting clause with the following:

"Section 5. The Mercury-Free Vaccine Act is amended by repealing Section 10."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Collins, **Senate Bill No. 230** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 230

AMENDMENT NO. 1. Amend Senate Bill 230 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Speech-Language Pathology and Audiology Practice Act is amended by changing Section 2 as follows:

(225 ILCS 110/2) (from Ch. 111, par. 7902)

(Section scheduled to be repealed on January 1, 2008)

Sec. 2. Legislative Declaration of Public Policy. ~~The~~ ~~The~~ practice of Speech-Language Pathology and Audiology in the State of Illinois is hereby declared to affect the public health, safety and welfare and to be subject to regulation and control in the public interest. It is further declared to be a matter of public interest and concern that the speech-language pathology and audiology professions merit and receive the confidence of the public and that only qualified persons be permitted to practice this profession in the State of Illinois. This Act shall be liberally construed to carry out these objectives and purposes.

It is further declared to be the public policy of this State, pursuant to subsections (h) and (i) of Section 6 of Article VII of the Illinois Constitution of 1970, that any power or function set forth in this Act to be exercised by the State is an exclusive State power or function. Such power or function shall not be exercised concurrently, either directly or indirectly, by any unit of local government, including home rule units, except as otherwise provided in this Act.

(Source: P.A. 85-1391)."

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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 Collins, **Senate Bill No. 268** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 268

AMENDMENT NO. 1. Amend Senate Bill 268 as follows:

on page 7, line 7, by replacing "Section 20" with "Section 15"; and

on page 7, line 8, by deleting "(a)(8), (a)(9)."; and

on page 8, by deleting lines 16 through 26; and

on page 9, by deleting line 1.

Senate Floor Amendment No. 2 was postponed in the Committee on Environment and Energy.

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

On motion of Senator Haine, **Senate Bill No. 357** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 357

AMENDMENT NO. 2. Amend Senate Bill 357 on page 4, line 19, by replacing "it" with "subject to appropriation, the Department"; and

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

"Section 50. Local ordinances, resolutions, and agreements. Notwithstanding the provisions of Section 45 of this Act, the provisions of any ordinance or resolution adopted by a unit of local government or any agreement entered into between the operator of an underground aggregate mine and a unit of local government before the effective date of this Act that concern the times during which blasting operations are permitted within the unit of local government shall remain in full force and effect until such time as the ordinance or resolution is repealed or the agreement is mutually rescinded by the parties."; and

on page 7, by deleting lines 8 and 9.

Senate Floor Amendment No. 3 was held in the Committee on Rules.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Haine, **Senate Bill No. 385** having been printed, was taken up, read by title a second time.

Senate Committee Amendment Nos. 1 and 2 were held in the Committee on Rules.

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

AMENDMENT NO. 3 TO SENATE BILL 385

AMENDMENT NO. 3. Amend Senate Bill 385 by replacing everything after the enacting clause with the following:

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

Section 5. Purpose. The practice of midwifery in out-of-hospital settings is hereby declared to affect the public health, safety, and welfare and to be subject to regulation in the public interest. The purpose of the Act is to protect and benefit the public by setting standards for the qualifications, education, training, and experience of those who seek to obtain licensure and hold the title of Licensed Midwife, to promote high standards of professional performance for those licensed to practice midwifery in out-of-hospital settings in this State, and to protect the public from unprofessional conduct by persons licensed to practice midwifery, as defined in this Act. This Act shall be liberally construed to best carry out these purposes.

Section 10. Exemptions.

(a) This Act does not prohibit a person licensed under any other Act in this State from engaging in the practice for which he or she is licensed or from delegating services as provided for under that other Act.

(b) Nothing in this Act shall be construed to prohibit or require licensing under this Act, with regard to any of the following:

(1) The gratuitous rendering of services.

(2) The rendering of services by a person if such attendance is in accordance with the person's religious faith and is rendered to persons with a similar religious faith as an exercise and enjoyment of their religious freedom.

(3) Midwifery that is included in the educational programs of student midwives working under the direct supervision of a preceptor approved by the North American Registry of Midwives.

Section 15. Definitions. In this Act:

"American Midwifery Certification Board" or "AMCB" means the national certifying body for certified nurse-midwives (CNM) and certified midwives (CM) or its successor.

"Board" means the Illinois Midwifery Board.

"Certified professional midwife" means a person who has met the standards for certification set by the North American Registry of Midwives and has been awarded the Certified Professional Midwife (CPM) credential.

"Department" means the Department of Financial and Professional Regulation.

"Licensed midwife" means a person who has been granted a license under this Act to engage in the practice of midwifery.

"National Association of Certified Professional Midwives" or "NACPM" means the professional organization, or its successor, that promotes the growth and development of the profession of certified professional midwives.

"North American Registry of Midwives" or "NARM" means the accredited international agency, or its successor, that has established and has continued to administer certification for the credentialing of certified professional midwives.

"Practice of midwifery" means providing the necessary supervision, care, education, and advice to women during the antepartum, intrapartum, and postpartum period, conducting deliveries independently, and caring for the newborn, with such care including without limitation preventative measures, the detection of abnormal conditions in the mother and the child, the procurement of medical assistance, and the execution of emergency measures in the absence of medical help. "Practice of midwifery" includes non-prescriptive family planning.

"Secretary" means the Secretary of Financial and Professional Regulation.

Section 17. Unlicensed practice. Beginning 2 years after the effective date of this Act, no person may practice, attempt to practice, or hold himself or herself out to practice as a licensed midwife unless he or she is licensed as a midwife under this Act.

Section 20. Title. A licensed midwife may identify himself or herself as a Licensed Midwife or a Licensed Homebirth Midwife and may use the abbreviation L.M. A licensed midwife who carries the CPM credential may alternately identify himself or herself as a Licensed Certified Professional Midwife or Licensed CPM and may use the abbreviation CPM, L.M.

A licensed midwife who carries the CNM credential may alternately identify himself or herself as a Licensed Certified Nurse-Midwife or Licensed CNM and may use the abbreviation CNM, L.M. A licensed midwife who carries the CM credential may alternately identify himself or herself as a Licensed

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Certified Midwife or Licensed CM and may use the abbreviation CM, LM.

Section 25. Informed consent.

(a) A licensed midwife shall, at an initial consultation with a client, provide a copy of the rules adopted by the Department under this Act and disclose to the client orally and in writing all of the following:

- (1) The licensed midwife's experience and training.
 - (2) Whether the licensed midwife has malpractice liability insurance coverage and the policy limits of any such coverage.
 - (3) A written protocol for the handling of medical emergencies, including transportation to a hospital, particular to each client.
 - (4) A recommendation that the client obtain a physical examination from an appropriately licensed provider.
 - (5) Any other information required by the Department by rule.
- (b) A copy of the informed consent document, signed and dated by the client, must be kept in each client's chart.

Section 30. Vicarious liability. No other licensed midwife, doctor of medicine, doctor of osteopathy, acupuncturist, chiropractor, midwife, nurse-midwife, emergency medical personnel, first responder, or hospital or agent thereof shall be liable for an injury resulting from an act or omission by a licensed midwife, even if he or she has consulted with or accepted a referral from the licensed midwife.

Except as otherwise provided by law, no licensed midwife, doctor of medicine, doctor of osteopathy, acupuncturist, chiropractor, midwife, nurse-midwife, emergency medical personnel, first responder, or hospital or agent thereof may be exempt from liability for his or her own subsequent and independent negligent, grossly negligent, or willful or wanton acts or omissions.

Section 35. Advertising.

(a) Any person licensed under this Act may advertise the availability of professional midwifery services in the public media or on premises where professional services are rendered, if the advertising is truthful and not misleading and is in conformity with any rules adopted by the Department.

(b) A licensee must include in every advertisement for midwifery services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act.

Section 40. Powers and duties of the Department; rulemaking.

(a) The Department shall adopt all rules necessary for the implementation and administration of this Act, including rules establishing criteria for licensure, professional conduct, and discipline; however, the Department must consult with the Board regarding rulemaking and review any responses and recommendations made by the Board. Initial rules concerning the licensed practice of midwifery must be adopted on or before January 1, 2008.

(b) All rules adopted by the Department under this Act must be consistent with standards regarding the practice of midwifery established by the National Association of Certified Professional Midwives or a successor organization whose essential documents include without limitation subject matter concerning scope of practice, standards of practice, informed consent, appropriate consultation, collaboration or referral, and acknowledgement of a woman's right to self determination concerning her maternity care.

(c) Rules adopted by the Department must provide for the following:

- (1) the scope of practice and services provided regarding the use of equipment, procedures, and medications;
- (2) the administration by a licensed midwife of oxygen during the practice of midwifery;
- (3) the issuance of temporary permits to practice midwifery pending qualification for licensure; and
- (4) the administration during the practice of midwifery, of oxytocin (Pitocin) and Methergine solely as postpartum anti-hemorrhagic agents, rhogam for the prevention of Rh sensitization, intravenous fluids for stabilization, vitamin K, eye prophylactics, and other drugs or procedures in keeping with current midwifery standards, as determined by the Department, and the procurement of prescriptions for such medications by a licensed midwife.

(d) The rules adopted by the Department under this Section may not:

- (1) require a licensed midwife to have a nursing or nurse-midwifery degree or diploma;

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- (2) require a licensed midwife to practice midwifery under the supervision of or in collaboration with another healthcare provider;
 - (3) require a licensed midwife to enter into an agreement, written or otherwise, with another health care provider; and
 - (4) permit a licensed midwife to use forceps, a vacuum extraction, or Cytotec or its generic equivalent.
- (e) The Department shall, on a quarterly basis, issue a status report to the Board of all complaints submitted to the Department related to the midwifery profession.

Section 45. Illinois Midwifery Board.

(a) There is created under the authority of the Department the Illinois Midwifery Board, which shall consist of 7 members appointed by the Secretary, 4 of whom shall be licensed midwives who carry the CPM credential, except that initial appointees must have at least 3 years of experience in the practice of midwifery in an out-of-hospital setting, be certified by the North American Registry of Midwives, and meet the qualifications for licensure set forth in this Act; one of whom shall be an obstetrician licensed under the Medical Practice Act of 1987 who has a minimum of 2 years of experience working or consulting with homebirth providers or, alternately, a family practice physician licensed under the Medical Practice Act of 1987 who has a minimum of 2 years of experience providing homebirth services; one of whom shall be a certified nurse midwife who has at least 2 years of experience in providing home birth services; and one of whom shall be a knowledgeable public member who has given birth with the assistance of a certified professional midwife in an out-of-hospital birth setting. Board members shall serve 4-year terms, except that in the case of initial appointments, terms shall be staggered as follows: 3 members shall serve for 4 years, 2 members shall serve for 3 years, and 2 members shall serve for 2 years. The Board shall annually elect a chairperson and vice chairperson.

(b) Any appointment made to fill a vacancy shall be for the unexpired portion of the term. Appointments to fill vacancies shall be made in the same manner as original appointments. No Board member may be reappointed for a term that would cause his or her continuous service on the Board to exceed 9 years.

(c) Board membership must have reasonable representation from different geographic areas of this State.

(d) The members of the Board shall be reimbursed for all legitimate, necessary, and authorized expenses incurred in attending the meetings of the Board.

(e) The Secretary may remove any member for cause at any time prior to the expiration of his or her term.

(f) A majority of the Board members currently appointed shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

(g) The Board shall provide the Department with recommendations concerning the administration of this Act and perform each of the following duties:

(1) Recommend to the Department the adoption and, from time to time, the revision of any rules that may be necessary to carry out the provisions of this Act, including those that are designed to protect the health, safety, and welfare of the public.

(2) Conduct hearings and disciplinary conferences on disciplinary charges of licensees.

(3) Report to the Department, upon completion of a hearing, the disciplinary actions recommended to be taken against a person found in violation this Act.

(4) Recommend the approval, denial of approval, and withdrawal of approval of required education and continuing educational programs.

(h) The Secretary shall give due consideration to all recommendations of the Board. If the Secretary takes action contrary to a recommendation of the Board, the Secretary must promptly provide a written explanation of that action.

(i) The Board may recommend to the Secretary that one or more licensed midwives be selected by the Secretary to assist in any investigation under this Act. Compensation shall be provided to any licensee who provides assistance under this subsection (i), in an amount determined by the Secretary.

(j) Members of the Board shall be immune from suit in an action based upon a disciplinary proceeding or other activity performed in good faith as a member of the Board, except for willful or wanton misconduct.

Section 50. Qualifications.

(a) A person is qualified for licensure as a midwife if that person meets each of the following qualifications:

(1) He or she has successfully completed a program of midwifery education approved by the North American Registry of Midwives which includes both didactic and clinical experience, the sum of which, on average, takes 3 to 5 years to complete.

(A) The didactic component of the educational program required under item (1) of this Section must include the procurement of knowledge, which may be demonstrated in either a classroom or clinical setting, of at least all of the following subject matters:

(i) Midwifery counseling, education, and communication, including childbirth education; the physical and emotional process of pregnancy and birth; informed consent; confidentiality; diet, nutrition, and vitamins; prenatal testing and lab work; female reproductive anatomy and physiology; prenatal exercise; breast self-exams; environmental and teratogenic hazards to pregnancy; the benefits and risks of birth site options; preparing for birth at home or at a birth center; and an emergency care plan.

(ii) General healthcare skills, including universal precautions and aseptic techniques; recognizing and managing symptoms of shock; adult and infant cardio-pulmonary resuscitation (CPR); the benefits and risks of ultrasound; and the appropriate use of medications in childbirth, such as lidocaine or other numbing agents for repair of lacerations, medical oxygen, methergine and pitocin to prevent postpartum hemorrhage, eye prophylaxis, RhoGam, and Vitamin K.

(iii) The appropriate use and care of equipment, including bags and masks; bulb syringes; delee suction; hemostats; lancets; suturing equipment; urinary catheters; and vacutainer collection tubes.

(iv) The appropriate evaluation of laboratory records, including records related to hematocrit; blood sugar; HIV; Hepatitis B and C; Rubella; Syphilis; Group B Strep; Gonorrhea cultures; blood type and Rh factors; Rh antibodies; Chlamydia, and PAP smears.

(v) Maternal health assessment, including health, reproductive, and family health history and complete initial physical examinations to identify normalcy, including examinations related to the head, eyes, ears, nose, and throat; weight and height; vital signs; thyroid; lymph glands; breasts; reflexes; heart and lungs; abdominal palpations; kidney pain; pelvic landmarks, uterus, cervix, and vagina; musculo-skeletal system; and vascular system.

(vi) Prenatal care, including routine prenatal examinations for health and well-being; signs and symptoms of infection; vital signs; nutritional status; blood work or lab results; urine for glucose, protein, and ketones; fetal heart rate; assessment of fetal growth and well-being; and fetal position by palpation.

(vii) The recognition of and response to or referral for potential complications, including bleeding; hypertension; any abnormal signs in the prenatal exam, including without limitation blood work and growth; malpresentation; multiple gestation; vaginal birth after cesarean; pre-term labor; post-date pregnancy; and premature rupture of membranes.

(viii) Labor, birth, and immediate postpartum, including signs of prodromal or active labor; maternal comfort measures for labor; maternal vital signs; normal and abnormal labor patterns; fetal lie, presentation, position, and descent; effacement and dilation of the cervix; and normal, spontaneous, and vaginal birth.

(ix) The appropriate response to abnormal conditions in labor, including signs of fetal distress; variations in presentation; maternal exhaustion; and excessive bleeding.

(x) The immediate care and assessment of the newborn.

(xi) The immediate care and assessment of the mother.

(xii) The delivery of the placenta.

(xiii) The assessment and repair of the perineum.

(xiv) Postpartum, including the daily and weekly assessment of the mother and newborn; breastfeeding support; the filing of birth certificates; and assessing, treating, or referring for postpartum depression, uterine or breast infections, and abnormal newborn jaundice.

(xv) Well baby care, including the assessment of normal or abnormal newborn conditions and referral, as necessary, in first six weeks, such as respirations; temperature; heart rate and rhythm; appropriate weight gain; appropriate size and growth; reflexes; elimination patterns; feeding patterns; thrush; jaundice; diaper rash; cradle cap; colic; and any significant deviation from normalcy.

(xvi) Metabolic screening for the newborn.

(B) The clinical component of the educational process must do each of the following:

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- (i) Include prenatal, intrapartal, and postpartal care as well as newborn care.
 - (ii) Be at least one year in duration.
 - (iii) Be equivalent to 1,350 clinical contact hours under the direct supervision of one or more preceptors approved by the North American Registry of Midwives.
 - (iv) Be based upon a job analyses designed and implemented in accordance with the standards set by the National Commission on Certifying Agencies or its successor, which identifies core topics that must be mastered for the performance of midwifery skills in an out-of-hospital setting.
 - (v) Require the student to receive an assessment of competency as an assistant at a minimum of 20 births and as the primary midwife at a minimum of 75 prenatal exams, 20 initial exams, 20 births, 20 newborn exams, and 40 postpartum exams.
 - (vi) Include certification in adult CPR and infant CPR or neonatal resuscitation.
 - (vii) Document clinical experience in an out-of-hospital setting.
- (2) He or she has passed an 8-hour written and practical skills examination for the practice of midwifery that has been developed following the standards set by the National Commission for Certifying Agencies or a successor organization and is administered by the North American Registry of Midwives.
- (3) He or she holds a valid CPM credential granted by the North American Registry of Midwives.

(b) An individual who has not completed the requirements of subsection (a) of this Section shall be deemed qualified for licensure as a midwife if that person holds a valid CNM or CM credential granted by the American Midwifery Certification Board and practices midwifery in an out-of-hospital setting.

Section 55. Conditional licensure. For a period of one year after the effective date of this Act, the Department may issue a conditional license to an applicant who submits acceptable proof to the Department that he or she has practiced midwifery prior to the effective date of this Act and has applied to the North American Registry of Midwives for certification as a certified professional midwife. A conditional license issued under this Section shall automatically terminate one year after the date of issue unless the applicant has, by such time, successfully completed the certification examination provided by the North American Registry of Midwives.

Section 60. Application; temporary licensure.

(a) Application for an original license must be made to the Department in writing on forms prescribed by the Department and must be accompanied by the required fee, which shall be nonrefundable. The application shall require all information that, in the judgment of the Department, shall enable the Department to pass on the qualifications of an applicant for licensure.

(b) Applicants for licensure under this Act have 2 years after the date of application to complete the application process. If the process has not been completed in 2 years, the application shall be denied and the fee forfeited, and the applicant must reapply and meet all requirements in effect at the time of reapplication.

(c) Pending the issuance of a license, the Department may grant an applicant a temporary license to practice midwifery as a licensed midwife if the Department is satisfied that the applicant holds an active, unencumbered license in good standing in another jurisdiction.

Section 65. Social Security Number on application. In addition to any other information required to be contained in the application, every application for an original, renewal, reinstated, or restored license under this Act shall include the applicant's Social Security Number.

Section 70. Licensure by endorsement. Upon the payment of any applicable licensure fees, the Department may issue a license under this Act to an applicant licensed, registered, or certified under the laws of another jurisdiction if the requirements for licensure, registration, or certification in that jurisdiction are, on the date of licensure, registration, or certification, substantially equivalent to the requirements of this Act.

Section 75. Continuing education.

(a) The Department shall adopt rules of continuing education for persons licensed under this Act that

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require at least 25 hours of continuing education and 5 hours of peer review, per 3-year license renewal cycle.

(b) The rules shall require the licensed midwife to maintain CPM certification by meeting all the requirements set forth by the North American Registry of Midwives or to maintain CNM or CM certification by meeting all the requirements set forth by the American Midwifery Certification Board.

(c) Each licensee is responsible for maintaining records of completion of continuing education and shall be prepared to produce the records when requested by the Department.

(d) Continuing education requirements may be waived in cases of extreme hardship, as defined by rules of the Department.

Section 80. Inactive status.

(a) A licensed midwife who notifies the Department in writing on forms prescribed by the Department may elect to place his or her license on an inactive status and shall be excused from payment of renewal fees until he or she notifies the Department in writing of his or her intent to restore the license.

(b) A licensed midwife whose license is on inactive status may not practice licensed midwifery in the State of Illinois.

(c) A licensed midwife requesting restoration from inactive status shall be required to pay the current renewal fee and to restore his or her license, as provided by the Department by rule.

(d) Any licensee who engages in the practice of midwifery while his or her license is lapsed or on inactive status shall be considered to be practicing without a license, which shall be grounds for discipline.

Section 85. Renewal, reinstatement, or restoration of licensure; military service.

(a) The expiration date and renewal period for each license issued under this Act shall be set by the Department by rule.

(b) All renewal applicants shall provide proof of having met the requirements of continuing education set forth by the North American Registry of Midwives or the American Midwifery Certification Board. The Department shall, by rule, provide for an orderly process for the reinstatement of licenses that have not been renewed due to failure to meet continuing education requirements.

(c) Any licensed midwife who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by making application to the Department and filing proof acceptable to the Department of fitness to have the license restored and by paying the required fees. Proof of fitness may include evidence attesting to active lawful practice in another jurisdiction.

(d) The Department shall determine, by an evaluation program established by rule, fitness for restoration of a license under this Section and shall establish procedures and requirements for restoration.

(e) Any licensed midwife whose license expired while he or she was (i) in federal service on active duty with the Armed Forces of the United States or the State Militia and called into service or training or (ii) in training or education under the supervision of the United States preliminary to induction into the military service may have his or her license restored without paying any lapsed renewal fees, if, within 2 years after honorable termination of service, training, or education, he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged.

Section 90. Roster. The Department shall maintain a roster of the names and addresses of all licensees and of all persons whose licenses have been suspended or revoked. This roster shall be available upon written request and payment of the required fee.

Section 95. Fees.

(a) The Department shall, by rule, provide for a schedule of fees for the administration and enforcement of this Act, including without limitation original licensure, renewal, and restoration, which fees shall be nonrefundable.

(b) All fees collected under this Act shall be deposited into the General Professions Dedicated Fund and appropriated to the Department for the ordinary and contingent expenses of the Department in the administration of this Act.

Section 100. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50.

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The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a non-renewed license. The Department shall notify the person that fees and fines shall be paid to the Department by certified check or money order within 30 calendar days after the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or deny the application, without hearing. If, after termination or denial, the person seeks a license, he or she shall apply to the Department for restoration or issuance of the license and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license to defray all expenses of processing the application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

Section 105. Unlicensed practice; civil penalty. Any person who practices, offers to practice, attempts to practice, or holds himself or herself out to practice midwifery or as a midwife without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee. The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record. The Department may investigate any unlicensed activity.

Section 110. Exemption from civil liability. Exemption from civil liability for emergency care and for services rendered without compensation is as provided in the Good Samaritan Act.

Section 115. Grounds for disciplinary action. The Department may refuse to issue or to renew or may revoke, suspend, place on probation, reprimand or take other disciplinary action as the Department may deem proper, including fines not to exceed \$5,000 for each violation, with regard to any licensee or licensee for any one or combination of the following causes:

- (1) Violations of this Act or its rules.
- (2) Material misstatement in furnishing information to the Department.
- (3) Conviction of any crime under the laws of any U.S. jurisdiction that is (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or (iii) directly related to the practice of the profession.
- (4) Making any misrepresentation for the purpose of obtaining a license.
- (5) Professional incompetence or gross negligence.
- (6) Gross malpractice.
- (7) Aiding or assisting another person in violating any provision of this Act or its rules.
- (8) Failing to provide information within 60 days in response to a written request made by the Department.
- (9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
- (10) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety.
- (11) Discipline by another U.S. jurisdiction or foreign nation if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.
- (12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional services not actually or personally rendered. This shall not be deemed to include rent or other remunerations paid to an individual, partnership, or corporation by a licensed midwife for the lease, rental, or use of space, owned or controlled by the individual, partnership, corporation, or association.
- (13) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.
- (14) Abandonment of a patient without cause.
- (15) Willfully making or filing false records or reports relating to a licensee's practice, including, but not limited to, false records filed with State agencies or departments.

(16) Physical illness or mental illness, including, but not limited to, deterioration through the aging process or loss of motor skill that results in the inability to practice the profession with reasonable judgment, skill, or safety.

(17) Failure to provide a patient with a copy of his or her record upon the written request of the patient.

(18) Conviction by any court of competent jurisdiction, either within or without this State, of any violation of any law governing the practice of licensed midwifery or conviction in this or another state of any crime that is a felony under the laws of this State or conviction of a felony in a federal court, if the Department determines, after investigation, that the person has not been sufficiently rehabilitated to warrant the public trust.

(19) A finding that licensure has been applied for or obtained by fraudulent means.

(20) Being named as a perpetrator in an indicated report by the Department of Healthcare and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or a neglected child, as defined in the Abused and Neglected Child Reporting Act.

(21) Practicing or attempting to practice under a name other than the full name shown on a license issued under this Act.

(22) Immoral conduct in the commission of any act, such as sexual abuse, sexual misconduct, or sexual exploitation, related to the licensee's practice.

(23) Maintaining a professional relationship with any person, firm, or corporation when the licensed midwife knows or should know that a person, firm, or corporation is violating this Act.

(24) Failure to provide satisfactory proof of having participated in approved continuing education programs as determined by the Board and approved by the Secretary. Exceptions for extreme hardships are to be defined by the Department by rule.

(b) The Department may refuse to issue or may suspend the license of any person who fails to (i) file a tax return or to pay the tax, penalty, or interest shown in a filed return or (ii) pay any final assessment of the tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until the time that the requirements of that tax Act are satisfied.

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code operates as an automatic suspension. The suspension shall end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Secretary that the licensee be allowed to resume his or her practice.

(d) In enforcing this Section, the Department, upon a showing of a possible violation, may compel any person licensed to practice under this Act or who has applied for licensure or certification pursuant to this Act to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians shall be those specifically designated by the Department. The Department may order an examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The person to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any person to submit to a mental or physical examination when directed shall be grounds for suspension of a license until the person submits to the examination if the Department finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Department finds an individual unable to practice because of the reasons set forth in this subsection (d), the Department may require that individual to submit to care, counseling, or treatment by physicians approved or designated by the Department, as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice or, in lieu of care, counseling, or treatment, the Department may file a complaint to immediately suspend, revoke, or otherwise discipline the license of the individual. Any person whose license was granted, reinstated, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions and who fails to comply with such terms, conditions, or restrictions shall be referred to the Secretary for a determination as to whether or not the person shall have his or her license suspended immediately, pending a hearing by the Department.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department may review the person's record of treatment and counseling regarding the impairment, to the extent permitted by applicable federal statutes and

regulations safeguarding the confidentiality of medical records.

A person licensed under this Act and affected under this subsection (d) shall be afforded an opportunity to demonstrate to the Department that he or she can resume practice in compliance with acceptable and prevailing standards under the provisions of his or her license.

Section 120. Failure to pay restitution. The Department, without further process or hearing, shall suspend the license or other authorization to practice of any person issued under this Act who has been certified by court order as not having paid restitution to a person under Section 8A-3.5 of the Illinois Public Aid Code or under Section 46-1 of the Criminal Code of 1961. A person whose license or other authorization to practice is suspended under this Section is prohibited from practicing until restitution is made in full.

Section 125. Injunction; cease and desist order.

(a) If a person violates any provision of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General or the State's Attorney of any county in which the action is brought, petition for an order enjoining the violation or enforcing compliance with this Act. Upon the filing of a verified petition in court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin the violation. If it is established that the person has violated or is violating the injunction, the court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) If any person practices as a licensed midwife or holds himself or herself out as a licensed midwife without being licensed under the provisions of this Act then any licensed midwife, any interested party, or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(c) Whenever, in the opinion of the Department, any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should not be entered against that person. The rule shall clearly set forth the grounds relied upon by the Department and shall provide a period of 7 days after the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause an order to cease and desist to be issued immediately.

Section 130. Violation; criminal penalty.

(a) Whoever knowingly practices or offers to practice midwifery in this State without being licensed for that purpose or exempt under this Act shall be guilty of a Class A misdemeanor and, for each subsequent conviction, shall be guilty of a Class 4 felony.

(b) Any person who is found to have violated any other provision of this Act is guilty of a Class A misdemeanor.

(c) Notwithstanding any other provision of this Act, all criminal fines, moneys, or other property collected or received by the Department under this Section or any other State or federal statute, including, but not limited to, property forfeited to the Department under Section 505 of the Illinois Controlled Substances Act or Section 85 of the Methamphetamine Control and Community Protection Act, shall be deposited into the Professional Regulation Evidence Fund.

Section 135. Investigation; notice; hearing. The Department may investigate the actions of any applicant or of any person or persons holding or claiming to hold a license under this Act. Before refusing to issue or to renew or taking any disciplinary action regarding a license, the Department shall, at least 30 days prior to the date set for the hearing, notify in writing the applicant or licensee of the nature of any charges and that a hearing shall be held on a date designated. The Department shall direct the applicant or licensee to file a written answer with the Board under oath within 20 days after the service of the notice and inform the applicant or licensee that failure to file an answer shall result in default being taken against the applicant or licensee and that the license may be suspended, revoked, or placed on probationary status or that other disciplinary action may be taken, including limiting the scope, nature, or extent of practice, as the Secretary may deem proper. Written notice may be served by personal delivery or certified or registered mail to the respondent at the address of his or her last notification to the Department. If the person fails to file an answer after receiving notice, his or her license may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take any disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts

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charged constitute sufficient grounds for such action under this Act. At the time and place fixed in the notice, the Board shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence, and argument as may be pertinent to the charges or to their defense. The Board may continue a hearing from time to time.

Section 140. Formal hearing; preservation of record. The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board or hearing officer, and order of the Department shall be the record of the proceeding. The Department shall furnish a transcript of the record to any person interested in the hearing upon payment of the fee required under Section 2105-115 of the Department of Professional Regulation Law.

Section 145. Witnesses; production of documents; contempt. Any circuit court may upon application of the Department or its designee or of the applicant or licensee against whom proceedings under Section 115 of this Act are pending, enter an order requiring the attendance of witnesses and their testimony and the production of documents, papers, files, books, and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

Section 150. Subpoena; oaths. The Department shall have the power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition or both with the same fees and mileage and in the same manner as prescribed in civil cases in circuit courts of this State. The Secretary, the designated hearing officer, and every member of the Board has the power to administer oaths to witnesses at any hearing that the Department is authorized to conduct and any other oaths authorized in any Act administered by the Department. Any circuit court may, upon application of the Department or its designee or upon application of the person against whom proceedings under this Act are pending, enter an order requiring the attendance of witnesses and their testimony, and the production of documents, papers, files, books, and records in connection with any hearing or investigation. The court may compel obedience to its order by proceedings for contempt.

Section 155. Findings of fact, conclusions of law, and recommendations. At the conclusion of the hearing the Board shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. The report shall contain a finding as to whether or not the accused person violated this Act or failed to comply with the conditions required under this Act. The Board shall specify the nature of the violation or failure to comply and shall make its recommendations to the Secretary.

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

Section 160. Hearing officer. The Secretary may appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for departmental refusal to issue, renew, or license an applicant or for disciplinary action against a licensee. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Board and the Secretary. The Board shall have 60 calendar days after receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law, and recommendations to the Secretary. If the Board fails to present its report within the 60-day period, the Secretary may issue an order based on the report of the hearing officer. If the Secretary disagrees with the recommendation of the Board or the hearing officer, he or she may issue an order in contravention of that recommendation.

Section 165. Service of report; motion for rehearing. In any case involving the discipline of a license, a copy of the Board's report shall be served upon the respondent by the Department, either personally or as provided in this Act for the service of the notice of hearing. Within 20 days after the service, the respondent may present to the Department a motion in writing for a rehearing that shall specify the particular grounds for rehearing. If no motion for rehearing is filed, then upon the expiration of the time specified for filing a motion, or if a motion for rehearing is denied, then upon the denial, the Secretary may enter an order in accordance with this Act. If the respondent orders from the reporting service and

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pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which the motion may be filed shall commence upon the delivery of the transcript to the respondent.

Section 170. Rehearing. Whenever the Secretary is satisfied that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license, the Secretary may order a rehearing by the same or another hearing officer or by the Board.

Section 175. Prima facie proof. An order or a certified copy thereof, over the seal of the Department and purporting to be signed by the Secretary, shall be prima facie proof of the following:

- (1) that the signature is the genuine signature of the Secretary;
- (2) that such Secretary is duly appointed and qualified; and
- (3) that the Board and its members are qualified to act.

Section 180. Restoration of license. At any time after the suspension or revocation of any license, the Department may restore the license to the accused person, unless after an investigation and a hearing the Department determines that restoration is not in the public interest.

Section 185. Surrender of license. Upon the revocation or suspension of any license, the licensee shall immediately surrender the license to the Department. If the licensee fails to do so, the Department shall have the right to seize the license.

Section 190. Summary suspension. The Secretary may summarily suspend the license of a licensee under this Act without a hearing, simultaneously with the institution of proceedings for a hearing provided for in this Act, if the Secretary finds that evidence in his or her possession indicates that continuation in practice would constitute an imminent danger to the public. In the event that the Secretary summarily suspends a license without a hearing, a hearing by the Department must be held within 30 days after the suspension has occurred.

Section 195. Certificate of record. The Department shall not be required to certify any record to the court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless there is filed in the court, with the complaint, a receipt from the Department acknowledging payment of the costs of furnishing and certifying the record. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

Section 200. Administrative Review Law. All final administrative decisions of the Department are subject to judicial review under the Administrative Review Law and its rules. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

Section 205. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is hereby expressly adopted and incorporated in this Act as if all of the provisions of such Act were included in this Act, except that the provision of subsection (d) of Section 10-65 of the Illinois Administrative Procedure Act that provides that at hearings the licensee has the right to show compliance with all lawful requirements for retention, continuation, or renewal of the license is specifically excluded. For purposes of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the last known address of a party.

Section 210. Home rule. Pursuant to paragraph (h) of Section 6 of Article VII of the Illinois Constitution of 1970 the power to regulate and issue licenses for the practice of midwifery shall, except as may otherwise be provided within and pursuant to the provisions of this Act, be exercised by the State and may not be exercised by any unit of local government, including home rule units.

Section 215. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 900. The Regulatory Sunset Act is amended by adding Section 4.28 as follows:
(5 ILCS 80/4.28 new)

Sec. 4.28. Act repealed on January 1, 2018. The following Act is repealed on January 1, 2018:
The Midwifery Licensure Act.

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Section 905. The Medical Practice Act of 1987 is amended by changing Section 4 as follows:
(225 ILCS 60/4) (from Ch. 111, par. 4400-4)
(Section scheduled to be repealed on December 31, 2008)

Sec. 4. Exemptions.

(a) This Act does not apply to the following:

(1) persons lawfully carrying on their particular profession or business under any valid existing regulatory Act of this State, including without limitation persons engaged in the practice of midwifery who are licensed under the Midwifery Licensure Act;

(2) persons rendering gratuitous services in cases of emergency; or

(3) persons treating human ailments by prayer or spiritual means as an exercise or enjoyment of religious freedom.

(b) (Blank).

(Source: P.A. 93-379, eff. 7-24-03.)

Section 910. The Nursing and Advanced Practice Nursing Act is amended by changing Section 5-15 as follows:

(225 ILCS 65/5-15)

(Section scheduled to be repealed on January 1, 2008)

Sec. 5-15. Policy; application of Act. For the protection of life and the promotion of health, and the prevention of illness and communicable diseases, any person practicing or offering to practice professional and practical nursing in Illinois shall submit evidence that he or she is qualified to practice, and shall be licensed as provided under this Act. No person shall practice or offer to practice professional or practical nursing in Illinois or use any title, sign, card or device to indicate that such a person is practicing professional or practical nursing unless such person has been licensed under the provisions of this Act.

This Act does not prohibit the following:

(a) The practice of nursing in Federal employment in the discharge of the employee's duties by a person who is employed by the United States government or any bureau, division or agency thereof and is a legally qualified and licensed nurse of another state or territory and not in conflict with Sections 10-5, 10-30, and 10-45 of this Act.

(b) Nursing that is included in their program of study by students enrolled in programs of nursing or in current nurse practice update courses approved by the Department.

(c) The furnishing of nursing assistance in an emergency.

(d) The practice of nursing by a nurse who holds an active license in another state when providing services to patients in Illinois during a bonafide emergency or in immediate preparation for or during interstate transit.

(e) The incidental care of the sick by members of the family, domestic servants or housekeepers, or care of the sick where treatment is by prayer or spiritual means.

(f) Persons from being employed as nursing aides, attendants, orderlies, and other auxiliary workers in private homes, long term care facilities, nurseries, hospitals or other institutions.

(g) The practice of practical nursing by one who has applied in writing to the Department in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who has complied with all the provisions under Section 10-30, except the passing of an examination to be eligible to receive such license, until: the decision of the Department that the applicant has failed to pass the next available examination authorized by the Department or has failed, without an approved excuse, to take the next available examination authorized by the Department or until the withdrawal of the application, but not to exceed 3 months. An applicant practicing practical nursing under this Section who passes the examination, however, may continue to practice under this Section until such time as he or she receives his or her license to practice or until the Department notifies him or her that the license has been denied. No applicant for licensure practicing under the provisions of this paragraph shall practice practical nursing except under the direct supervision of a registered professional nurse licensed under this Act or a licensed physician, dentist or podiatrist. In no instance shall any such applicant practice or be employed in any supervisory capacity.

(h) The practice of practical nursing by one who is a licensed practical nurse under the laws of another U.S. jurisdiction and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a licensed practical nurse and who is qualified to receive such license under Section 10-30, until (1) the expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such

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application by the Department.

(i) The practice of professional nursing by one who has applied in writing to the Department in form and substance satisfactory to the Department for a license as a registered professional nurse and has complied with all the provisions under Section 10-30 except the passing of an examination to be eligible to receive such license, until the decision of the Department that the applicant has failed to pass the next available examination authorized by the Department or has failed, without an approved excuse, to take the next available examination authorized by the Department or until the withdrawal of the application, but not to exceed 3 months. An applicant practicing professional nursing under this Section who passes the examination, however, may continue to practice under this Section until such time as he or she receives his or her license to practice or until the Department notifies him or her that the license has been denied. No applicant for licensure practicing under the provisions of this paragraph shall practice professional nursing except under the direct supervision of a registered professional nurse licensed under this Act. In no instance shall any such applicant practice or be employed in any supervisory capacity.

(j) The practice of professional nursing by one who is a registered professional nurse under the laws of another state, territory of the United States or country and has applied in writing to the Department, in form and substance satisfactory to the Department, for a license as a registered professional nurse and who is qualified to receive such license under Section 10-30, until (1) the expiration of 6 months after the filing of such written application, (2) the withdrawal of such application, or (3) the denial of such application by the Department.

(k) The practice of professional nursing that is included in a program of study by one who is a registered professional nurse under the laws of another state or territory of the United States or foreign country, territory or province and who is enrolled in a graduate nursing education program or a program for the completion of a baccalaureate nursing degree in this State, which includes clinical supervision by faculty as determined by the educational institution offering the program and the health care organization where the practice of nursing occurs. The educational institution will file with the Department each academic term a list of the names and origin of license of all professional nurses practicing nursing as part of their programs under this provision.

(l) Any person licensed in this State under any other Act from engaging in the practice for which she or he is licensed, including without limitation any person engaged in the practice of midwifery who is licensed under the Midwifery Licensure Act.

(m) Delegation to authorized direct care staff trained under Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act.

An applicant for license practicing under the exceptions set forth in subparagraphs (g), (h), (i), and (j) of this Section shall use the title R.N. Lic. Pend. or L.P.N. Lic. Pend. respectively and no other. (Source: P.A. 93-265, eff. 7-22-03.)

Section 915. The Good Samaritan Act is amended by adding Section 41 as follows:
(745 ILCS 49/41 new)

Sec. 41. Midwives; exemption from civil liability for emergency care or services rendered without compensation. Any person licensed as a midwife under the Midwifery Licensure Act who in good faith provides emergency care without fee or renders midwifery services without fee to a person shall not, as a result of her or his acts or omissions, except for willful or wanton misconduct on the part of the person, in providing the care, be liable for civil damages.

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

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 385

AMENDMENT NO. 4. Amend Senate Bill 385, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, as follows:

on page 7, line 20, by replacing "rhogam" with "RhoGAM"; and

on page 8, by replacing lines 13 through 15 with the following:

"(e) The Department shall, on a quarterly basis, issue a status report to the Board of all complaints submitted to the Department related to the midwifery profession.

(f) The Department must verify that the North American Registry of Midwives meets and maintains

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all accreditation standards set forth by the National Commission of Certifying Agencies or a successor organization."; and

on page 10, line 18, after "violation", by inserting "of"; and

on page 12, line 18, by replacing "RhoGam, and Vitamin" with "RhoGAM, and vitamin"; and

on page 14, by replacing lines 24 through 26 with the following:

"certificates; and assessing for postpartum depression, uterine or breast infections, and abnormal newborn jaundice and referring as necessary."; and

on page 16, immediately below line 9, by inserting the following:

"(2) He or she has earned an associates degree or 60 hours of college credit at an accredited institution of postsecondary education.

(3) He or she has completed a pharmacology class specific to home birth that is recommended by the Board, approved and administered by the Department, and taught by a licensed physician or certified nurse-midwife with at least 3 years of home birth experience."; and

on page 16, line 10, by replacing "(2)" with "(4)"; and

on page 16, line 16, by replacing "(3)" with "(5)"; and

on page 30, line 18, by replacing "Act" with "Act,"; and

on page 39, line 12, by replacing "1970" with "1970,".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Halvorson, **Senate Bill No. 392**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **Senate Bill No. 417** 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 417

AMENDMENT NO. 1. Amend Senate Bill 417 on page 1, by inserting below line 12 the following:

"Section 10. The Criminal Code of 1961 is amended by changing Section 11-9.3 as follows:
(720 ILCS 5/11-9.3)

Sec. 11-9.3. Presence within school zone by child sex offenders prohibited.

(a) It is unlawful for a child sex offender to knowingly be present in any school building, on real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity when persons under the age of 18 are present in the building, on the grounds or in the conveyance, unless the offender is a parent or guardian of a student attending the school and the parent or guardian is: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school or unless the offender has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of

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a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official. A child sex offender who violates this provision is guilty of a Class 4 felony.

~~Nothing in this Section shall be construed to infringe upon the constitutional right of a child sex offender to be present in a school building that is used as a polling place for the purpose of voting.~~

~~(1) (Blank; or)~~

~~(2) (Blank.)~~

(b) It is unlawful for a child sex offender to knowingly loiter within 500 feet of a school building or real property comprising any school while persons under the age of 18 are present in the building or on the grounds, unless the offender is a parent or guardian of a student attending the school and the parent or guardian is: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school or has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official. A child sex offender who violates this provision is guilty of a Class 4 felony.

~~(1) (Blank; or)~~

~~(2) (Blank.)~~

(b-5) It is unlawful for a child sex offender to knowingly reside within 500 feet of a school building or the real property comprising any school that persons under the age of 18 attend. Nothing in this subsection (b-5) prohibits a child sex offender from residing within 500 feet of a school building or the real property comprising any school that persons under 18 attend if the property is owned by the child sex offender and was purchased before the effective date of this amendatory Act of the 91st General Assembly.

(c) Definitions. In this Section:

(1) "Child sex offender" means any person who:

(i) has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (c) or the attempt to commit an included sex offense, and:

(A) is convicted of such offense or an attempt to commit such offense; or

(B) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(C) is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(D) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(E) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(F) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(ii) is certified as a sexually dangerous person pursuant to the Illinois Sexually

Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or

(iii) is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

(2) Except as otherwise provided in paragraph (2.5), "sex offense" means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9 (public indecency when committed in a school, on the real property comprising a school, or on a conveyance, owned, leased, or contracted by a school to transport students to or from school or a school related activity), 11-9.1 (sexual exploitation of a child), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 11-21 (harmful material), 12-14.1 (predatory criminal sexual assault of a child), 12-33 (ritualized abuse of a child), 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-15 (criminal sexual abuse), 12-16 (aggravated criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),
 10-2 (aggravated kidnapping),
 10-3 (unlawful restraint),
 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) of subsection (c) of this Section.

(2.5) For the purposes of subsection (b-5) only, a sex offense means:

(i) A violation of any of the following Sections of the Criminal Code of 1961:

10-5(b)(10) (child luring), 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

10-1 (kidnapping),
 10-2 (aggravated kidnapping),
 10-3 (unlawful restraint),
 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of subsection (c) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the

Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

(4) "School" means a public or private pre-school, elementary, or secondary school.

(5) "Loiter" means:

(i) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around school property.

(ii) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around school property, for the purpose of committing or attempting to commit a sex offense.

(iii) Entering or remaining in a building in or around school property, other than the offender's residence.

(6) "School official" means the principal, a teacher, or any other certified employee of the school, the superintendent of schools or a member of the school board.

(d) Sentence. A person who violates this Section is guilty of a Class 4 felony.

(Source: P.A. 94-158, eff. 7-11-05; 94-164, eff. 1-1-06; 94-170, eff. 7-11-05; revised 9-15-06)."

Senator Dillard offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 417

AMENDMENT NO. 2. Amend Senate Bill 417, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Election Code is amended by adding Section 1-15 as follows:

(10 ILCS 5/1-15 new)

Sec. 1-15. Sex offenders. Notwithstanding any other provision of this Code to the contrary, an otherwise qualified elector subject to the registration requirement of the Sex Offender Registration Act whose assigned polling place is in a school must vote by absentee ballot or early voting ballot. A person subject to the registration requirement of the Sex Offender Registration Act who enters a polling place located in a school commits a Class 4 felony.

Each election authority shall distribute to the election judges of a polling place located in a school at least one copy of the list of persons registered in the election jurisdiction under the Sex Offender Registration Act provided to the election authority by the Department of State Police under Section 120 of the Sex Offender Community Notification Law. An election judge who becomes aware of a person who enters a polling place in violation of this Section shall promptly notify the local law enforcement authority.

Section 10. The Criminal Code of 1961 is amended by changing Section 11-9.3 as follows:

(720 ILCS 5/11-9.3)

Sec. 11-9.3. Presence within school zone by child sex offenders prohibited.

(a) It is unlawful for a child sex offender to knowingly be present in any school building, on real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity when persons under the age of 18 are present in the building, on the grounds or in the conveyance, unless the offender is a parent or guardian of a student attending the school and the parent or guardian is: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school or unless the offender has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official. A child sex offender who violates this provision is guilty of a Class 4 felony.

~~Nothing in this Section shall be construed to infringe upon the constitutional right of a child sex offender to be present in a school building that is used as a polling place for the purpose of voting.~~

~~(1) (Blank; or)~~

~~(2) (Blank.)~~

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(b) It is unlawful for a child sex offender to knowingly loiter within 500 feet of a school building or real property comprising any school while persons under the age of 18 are present in the building or on the grounds, unless the offender is a parent or guardian of a student attending the school and the parent or guardian is: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the principal of the school of his or her presence at the school or has permission to be present from the superintendent or the school board or in the case of a private school from the principal. In the case of a public school, if permission is granted, the superintendent or school board president must inform the principal of the school where the sex offender will be present. Notification includes the nature of the sex offender's visit and the hours in which the sex offender will be present in the school. The sex offender is responsible for notifying the principal's office when he or she arrives on school property and when he or she departs from school property. If the sex offender is to be present in the vicinity of children, the sex offender has the duty to remain under the direct supervision of a school official. A child sex offender who violates this provision is guilty of a Class 4 felony.

~~(1) (Blank; or)~~

~~(2) (Blank;)~~

(b-5) It is unlawful for a child sex offender to knowingly reside within 500 feet of a school building or the real property comprising any school that persons under the age of 18 attend. Nothing in this subsection (b-5) prohibits a child sex offender from residing within 500 feet of a school building or the real property comprising any school that persons under 18 attend if the property is owned by the child sex offender and was purchased before the effective date of this amendatory Act of the 91st General Assembly.

(c) Definitions. In this Section:

(1) "Child sex offender" means any person who:

(i) has been charged under Illinois law, or any substantially similar federal law or law of another state, with a sex offense set forth in paragraph (2) of this subsection (c) or the attempt to commit an included sex offense, and:

(A) is convicted of such offense or an attempt to commit such offense; or

(B) is found not guilty by reason of insanity of such offense or an attempt to commit such offense; or

(C) is found not guilty by reason of insanity pursuant to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or an attempt to commit such offense; or

(D) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged commission or attempted commission of such offense; or

(E) is found not guilty by reason of insanity following a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (c) of Section 104-25 of the Code of Criminal Procedure of 1963 of such offense or of the attempted commission of such offense; or

(F) is the subject of a finding not resulting in an acquittal at a hearing conducted pursuant to a federal law or the law of another state substantially similar to subsection (a) of Section 104-25 of the Code of Criminal Procedure of 1963 for the alleged violation or attempted commission of such offense; or

(ii) is certified as a sexually dangerous person pursuant to the Illinois Sexually Dangerous Persons Act, or any substantially similar federal law or the law of another state, when any conduct giving rise to such certification is committed or attempted against a person less than 18 years of age; or

(iii) is subject to the provisions of Section 2 of the Interstate Agreements on Sexually Dangerous Persons Act.

Convictions that result from or are connected with the same act, or result from offenses committed at the same time, shall be counted for the purpose of this Section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this Section.

(2) Except as otherwise provided in paragraph (2.5), "sex offense" means:

(i) A violation of any of the following Sections of the Criminal Code of 1961: 10-7

(aiding and abetting child abduction under Section 10-5(b)(10)), 10-5(b)(10) (child luring), 11-6

(indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-9 (public indecency when committed in a school, on the real property comprising a school, or on a conveyance, owned, leased, or contracted by a school to transport students to or from school or a school related activity), 11-9.1 (sexual exploitation of a child), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 11-21 (harmful material), 12-14.1 (predatory criminal sexual assault of a child), 12-33 (ritualized abuse of a child), 11-20 (obscenity) (when that offense was committed in any school, on real property comprising any school, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity). An attempt to commit any of these offenses.

(i) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-15 (criminal sexual abuse), 12-16 (aggravated criminal sexual abuse). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

- 10-1 (kidnapping),
- 10-2 (aggravated kidnapping),
- 10-3 (unlawful restraint),
- 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in clause (2)(i) of subsection (c) of this Section.

(2.5) For the purposes of subsection (b-5) only, a sex offense means:

(i) A violation of any of the following Sections of the Criminal Code of 1961:

10-5(b)(10) (child luring), 10-7 (aiding and abetting child abduction under Section 10-5(b)(10)), 11-6 (indecent solicitation of a child), 11-6.5 (indecent solicitation of an adult), 11-15.1 (soliciting for a juvenile prostitute), 11-17.1 (keeping a place of juvenile prostitution), 11-18.1 (patronizing a juvenile prostitute), 11-19.1 (juvenile pimping), 11-19.2 (exploitation of a child), 11-20.1 (child pornography), 12-14.1 (predatory criminal sexual assault of a child), or 12-33 (ritualized abuse of a child). An attempt to commit any of these offenses.

(ii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age: 12-13 (criminal sexual assault), 12-14 (aggravated criminal sexual assault), 12-16 (aggravated criminal sexual abuse), and subsection (a) of Section 12-15 (criminal sexual abuse). An attempt to commit any of these offenses.

(iii) A violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age and the defendant is not a parent of the victim:

- 10-1 (kidnapping),
- 10-2 (aggravated kidnapping),
- 10-3 (unlawful restraint),
- 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(iv) A violation of any former law of this State substantially equivalent to any offense listed in this paragraph (2.5) of this subsection.

(3) A conviction for an offense of federal law or the law of another state that is substantially equivalent to any offense listed in paragraph (2) of subsection (c) of this Section shall constitute a conviction for the purpose of this Article. A finding or adjudication as a sexually dangerous person under any federal law or law of another state that is substantially equivalent to the Sexually Dangerous Persons Act shall constitute an adjudication for the purposes of this Section.

(4) "School" means a public or private pre-school, elementary, or secondary school.

(5) "Loiter" means:

- (i) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around school property.
- (ii) Standing, sitting idly, whether or not the person is in a vehicle or remaining in or around school property, for the purpose of committing or attempting to commit a sex offense.
- (iii) Entering or remaining in a building in or around school property, other than the offender's residence.

(6) "School official" means the principal, a teacher, or any other certified employee of the school, the superintendent of schools or a member of the school board.

(d) Sentence. A person who violates this Section is guilty of a Class 4 felony.
(Source: P.A. 94-158, eff. 7-11-05; 94-164, eff. 1-1-06; 94-170, eff. 7-11-05; revised 9-15-06.)

Section 15. The Sex Offender Community Notification Law is amended by changing Section 120 as follows:

(730 ILCS 152/120)

Sec. 120. Community notification of sex offenders.

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

(1) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county where the sex offender is required to register, resides, is employed, or is attending an institution of higher education; and

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

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

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

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

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

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the county, other than the City of Chicago, where the sex offender is required to register, resides, is employed, or attending an institution of higher education.

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

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

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

(3) The boards of institutions of higher education or other appropriate administrative offices of each non-public institution of higher education located in the police district where the sex offender is required to register, resides, is employed, or attending an institution of higher education in the City of Chicago.

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

(a-5) Thirty days before a regular election, as defined in Section 1-3 of the Election Code, the Department of State Police shall provide to each election authority a list of persons registered within the jurisdiction of the election authority.

(b) The Department of State Police and any law enforcement agency may disclose, in the Department's or agency's discretion, the following information to any person likely to encounter a sex offender, or sexual predator:

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

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

(3) Adjudication as a sexually dangerous person.

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

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(5) Offender employment information, to protect public safety.

(c) The name, address, date of birth, offense or adjudication, the county of conviction, license plate numbers for every vehicle registered in the name of the sex offender, the age of the sex offender at the time of the commission of the offense, the age of the victim at the time of the commission of the offense, and any distinguishing marks located on the body of the sex offender for sex offenders required to register under Section 3 of the Sex Offender Registration Act shall be open to inspection by the public as provided in this Section. Every municipal police department shall make available at its headquarters the information on all sex offenders who are required to register in the municipality under the Sex Offender Registration Act. The sheriff shall also make available at his or her headquarters the information on all sex offenders who are required to register under that Act and who live in unincorporated areas of the county. Sex offender information must be made available for public inspection to any person, no later than 72 hours or 3 business days from the date of the request. The request must be made in person, in writing, or by telephone. Availability must include giving the inquirer access to a facility where the information may be copied. A department or sheriff may charge a fee, but the fee may not exceed the actual costs of copying the information. An inquirer must be allowed to copy this information in his or her own handwriting. A department or sheriff must allow access to the information during normal public working hours. The sheriff or a municipal police department may publish the photographs of sex offenders where any victim was 13 years of age or younger and who are required to register in the municipality or county under the Sex Offender Registration Act in a newspaper or magazine of general circulation in the municipality or county or may disseminate the photographs of those sex offenders on the Internet or on television. The law enforcement agency may make available the information on all sex offenders residing within any county.

(d) The Department of State Police and any law enforcement agency having jurisdiction may, in the Department's or agency's discretion, place the information specified in subsection (b) on the Internet or in other media.

(e) (Blank).

(f) The administrator of a transitional housing facility for sex offenders shall comply with the notification procedures established in paragraph (4) of subsection (b) of Section 3-17-5 of the Unified Code of Corrections.

(g) A principal or teacher of a public or private elementary or secondary school shall notify the parents of children attending the school during school registration or during parent-teacher conferences that information about sex offenders is available to the public as provided in this Act.

(Source: P.A. 94-161, eff. 7-11-05; 94-168, eff. 1-1-06; 94-994, eff. 1-1-07)."

The motion prevailed.

And the amendment was adopted and ordered printed.

Senate Floor Amendment No. 3 was held in the Committee on Rules.

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

On motion of Senator Wilhelmi, **Senate Bill No. 581** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 581

AMENDMENT NO. 1. Amend Senate Bill 581 on page 1, line 15, by replacing "roommates" with "housemates"; and

on page 1, line 16, after "disabilities," by inserting "interests"; and

on page 1, by replacing line 22 with the following:

"persons age 18 and older who do not meet the"; and

on page 2, lines 14, 19, 22, 23, and 25, by replacing "placement slots" each time it appears with "placements"; and

on page 3, by replacing lines 10 and 11 with the following:

"providing those services, including transportation and including the cost of acquiring the home,

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renovating the home, or modifying an existing home."; and

on page 3, line 12, by deleting "transportation"; and

on page 3, line 16, before the period, by inserting ", including transportation".

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

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 Viverito, **Senate Bill No. 591** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 591

AMENDMENT NO. 1. Amend Senate Bill 591 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by changing Sections 4.02 and 4.12 as follows:
(20 ILCS 105/4.02) (from Ch. 23, par. 6104.02)

Sec. 4.02. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

- (a) home health services;
- (b) home nursing services;
- (c) homemaker services;
- (d) chore and housekeeping services;
- (e) adult day services;
- (f) home-delivered meals;
- (g) education in self-care;
- (h) personal care services;
- (i) adult day health services;
- (j) habilitation services;
- (k) respite care;
- (k-5) community reintegration services;
- (l) other nonmedical social services that may enable the person to become self-supporting; or
- (m) clearinghouse for information provided by senior citizen home owners who want to rent rooms to or share living space with other senior citizens.

The Department shall establish eligibility standards for such services taking into consideration the unique economic and social needs of the target population for whom they are to be provided. Such eligibility standards shall be based on the recipient's ability to pay for services; provided, however, that in determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

Beginning July 1, 2002, the Department shall require as a condition of eligibility that all financially eligible applicants and recipients apply for medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

The Department shall, in conjunction with the Department of Public Aid (now Department of Healthcare and Family Services), seek appropriate amendments under Sections 1915 and 1924 of the Social Security Act. The purpose of the amendments shall be to extend eligibility for home and community based services under Sections 1915 and 1924 of the Social Security Act to persons who

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transfer to or for the benefit of a spouse those amounts of income and resources allowed under Section 1924 of the Social Security Act. Subject to the approval of such amendments, the Department shall extend the provisions of Section 5-4 of the Illinois Public Aid Code to persons who, but for the provision of home or community-based services, would require the level of care provided in an institution, as is provided for in federal law. Those persons no longer found to be eligible for receiving noninstitutional services due to changes in the eligibility criteria shall be given 60 days notice prior to actual termination. Those persons receiving notice of termination may contact the Department and request the determination be appealed at any time during the 60 day notice period. With the exception of the lengthened notice and time frame for the appeal request, the appeal process shall follow the normal procedure. In addition, each person affected regardless of the circumstances for discontinued eligibility shall be given notice and the opportunity to purchase the necessary services through the Community Care Program. If the individual does not elect to purchase services, the Department shall advise the individual of alternative services. The target population identified for the purposes of this Section are persons age 60 and older with an identified service need. Priority shall be given to those who are at imminent risk of institutionalization. The services shall be provided to eligible persons age 60 and older to the extent that the cost of the services together with the other personal maintenance expenses of the persons are reasonably related to the standards established for care in a group facility appropriate to the person's condition. These non-institutional services, pilot projects or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Department of Human Services. The Departments of Human Services, Healthcare and Family Services, Public Health, Veterans' Affairs, and Commerce and Economic Opportunity and other appropriate agencies of State, federal and local governments shall cooperate with the Department on Aging in the establishment and development of the non-institutional services. The Department shall require an annual audit from all chore/housekeeping and homemaker vendors contracting with the Department under this Section. The annual audit shall assure that each audited vendor's procedures are in compliance with Department's financial reporting guidelines requiring an administrative and employee wage and benefits cost split as defined in administrative rules. The audit is a public record under the Freedom of Information Act. The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human Services and the Department of Healthcare and Family Services, to effect the following: (1) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (2) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 60 years of age or older shall be conducted by the Department.

As part of the Department on Aging's routine training of care coordinators ~~case managers~~ and care coordinator ~~case manager~~ supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities. The content of the training shall be at the Department's discretion.

No later than July 1, 2008, the Department's case management program shall be transitioned to a fully integrated care coordination program. The care coordination program shall incorporate the concepts of client direction and consumer focus and shall take into account the client's needs and preferences. On an individual client basis, duties of the care coordinators may include any combination of the following:

- (A) intake;
- (B) assessment;
- (C) eligibility determination;
- (D) care plan development;
- (E) case work to implement care plan;
- (F) follow-up;
- (G) assistance with completion of applications for services;
- (H) re-evaluation;
- (I) referrals to non-government funded services;
- (J) resource development;
- (K) prevention;
- (L) case closure;
- (M) ensuring continuity of care across care settings;
- (N) identification of gaps in services;
- (O) monitoring; and
- (P) other tasks as needed.

At the discretion of the care coordinators, a comprehensive assessment shall be performed, using a

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tool identified by the Department. The comprehensive assessment process shall include a face to face interview in the client's home or temporary abode. Assessment interviews shall accommodate the scheduling needs of the client and the client's representative or representatives, who shall participate at the discretion of the client. The Department shall provide, by administrative rule, guidelines for determining the intensity of care coordination offered to each care recipient. Services contained in the care plan shall be menu driven and the client shall be given, to the extent practicable, the ability to choose, in collaboration with his or her care coordinator, the services that best reflect his or her needs and preferences. Care plans shall include all services needed by the recipient regardless of his or her funding source and delineate between services provided, services unavailable, and services refused by the client. The Department shall develop a process for the collection of unmet needs and the identification of priority service areas, as directed by the Older Adult Services Act. Case coordination units shall be reimbursed for care coordination in a just and equitable manner reflective of the actual cost of providing care coordination. By January 1, 2008, the Department shall develop a rate structure, in collaboration with case coordination units and advocates for care recipients, that reflects the intensity of coordination provided. The Department shall reevaluate the rate structure, each January thereafter, to determine if the rate structure reflects the current costs of doing business.

The Department is authorized to establish a system of recipient copayment for services provided under this Section, such copayment to be based upon the recipient's ability to pay but in no case to exceed the actual cost of the services provided. Additionally, any portion of a person's income which is equal to or less than the federal poverty standard shall not be considered by the Department in determining the copayment. The level of such copayment shall be adjusted whenever necessary to reflect any change in the officially designated federal poverty standard.

The Department, or the Department's authorized representative, shall recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21, blind, or permanently and totally disabled. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department shall develop procedures to enhance availability of services on evenings, weekends, and on an emergency basis to meet the respite needs of caregivers. Procedures shall be developed to permit the utilization of services in successive blocks of 24 hours up to the monthly maximum established by the Department. Workers providing these services shall be appropriately trained.

Beginning on the effective date of this Amendatory Act of 1991, no person may perform chore/housekeeping and homemaker services under a program authorized by this Section unless that person has been issued a certificate of pre-service to do so by his or her employing agency. Information gathered to effect such certification shall include (i) the person's name, (ii) the date the person was hired by his or her current employer, and (iii) the training, including dates and levels. Persons engaged in the program authorized by this Section before the effective date of this amendatory Act of 1991 shall be issued a certificate of all pre- and in-service training from his or her employer upon submitting the necessary information. The employing agency shall be required to retain records of all staff pre- and in-service training, and shall provide such records to the Department upon request and upon termination of the employer's contract with the Department. In addition, the employing agency is responsible for the issuance of certifications of in-service training completed to their employees.

The Department is required to develop a system to ensure that persons working as homemakers and chore housekeepers receive increases in their wages when the federal minimum wage is increased by requiring vendors to certify that they are meeting the federal minimum wage statute for homemakers and chore housekeepers. An employer that cannot ensure that the minimum wage increase is being given to homemakers and chore housekeepers shall be denied any increase in reimbursement costs.

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The Community Care Program Advisory Committee is created in the Department on Aging. The Director shall appoint individuals to serve in the Committee, who shall serve at their own expense. Members of the Committee must abide by all applicable ethics laws. The Committee shall advise the Department on issues related to the Department's program of services to prevent unnecessary institutionalization. The Committee shall meet on a bi-monthly basis and shall serve to identify and advise the Department on present and potential issues affecting the service delivery network, the program's clients, and the Department and to recommend solution strategies. Persons appointed to the Committee shall be appointed on, but not limited to, their own and their agency's experience with the program, geographic representation, and willingness to serve. The Committee shall include, but not be limited to, representatives from the following agencies and organizations:

- (a) at least 4 adult day service representatives;
- (b) at least 4 ~~care case~~ coordination unit representatives;
- (c) at least 4 representatives from in-home direct care service agencies;
- (d) at least 2 representatives of statewide trade or labor unions that represent in-home direct care service staff;
- (e) at least 2 representatives of Area Agencies on Aging;
- (f) at least 2 non-provider representatives from a policy, advocacy, research, or other service organization;
- (g) at least 2 representatives from a statewide membership organization for senior citizens; and
- (h) at least 2 citizen members 60 years of age or older.

Nominations may be presented from any agency or State association with interest in the program. The Director, or his or her designee, shall serve as the permanent co-chair of the advisory committee. One other co-chair shall be nominated and approved by the members of the committee on an annual basis. Committee members' terms of appointment shall be for 4 years with one-quarter of the appointees' terms expiring each year. At no time may a member serve more than one consecutive term in any capacity on the committee. The Department shall fill vacancies that have a remaining term of over one year, and this replacement shall occur through the annual replacement of expiring terms. The Director shall designate Department staff to provide technical assistance and staff support to the committee. Department representation shall not constitute membership of the committee. All Committee papers, issues, recommendations, reports, and meeting memoranda are advisory only. The Director, or his or her designee, shall make a written report, as requested by the Committee, regarding issues before the Committee.

The Department on Aging and the Department of Human Services shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before September 30 each year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

Those persons previously found eligible for receiving non-institutional services whose services were discontinued under the Emergency Budget Act of Fiscal Year 1992, and who do not meet the eligibility standards in effect on or after July 1, 1992, shall remain ineligible on and after July 1, 1992. Those persons previously not required to cost-share and who were required to cost-share effective March 1, 1992, shall continue to meet cost-share requirements on and after July 1, 1992. Beginning July 1, 1992, all clients will be required to meet eligibility, cost-share, and other requirements and will have services discontinued or altered when they fail to meet these requirements.

(Source: P.A. 93-85, eff. 1-1-04; 93-902, eff. 8-10-04; 94-48, eff. 7-1-05; 94-269, eff. 7-19-05; 94-336, eff. 7-26-05; 94-954, eff. 6-27-06.)

(20 ILCS 105/4.12)

Sec. 4.12. Assistance to nursing home residents.

(a) The Department on Aging shall assist eligible nursing home residents and their families to select long-term care options that meet their needs and reflect their preferences. At any time during the process, the resident or his or her representative may decline further assistance.

(b) To provide assistance, the Department shall develop a program of transition services with follow-up in selected areas of the State, to be expanded statewide as funding becomes available. The program shall be developed in consultation with nursing homes, ~~care coordinators case managers~~, Area

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Agencies on Aging, and others interested in the well-being of frail elderly Illinois residents. The Department shall establish administrative rules pursuant to the Illinois Administrative Procedure Act with respect to resident eligibility, assessment of the resident's health, cognitive, social, and financial needs, development of comprehensive service transition plans, and the level of services that must be available prior to transition of a resident into the community.
(Source: P.A. 93-902, eff. 8-10-04.)

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

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

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 Wilhelmi, **Senate Bill No. 647** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 647

AMENDMENT NO. 1. Amend Senate Bill 647, on page 8, by replacing lines 21 through 25 with the following:

~~"payment. The If payment is made during the 6 month period that begins 3 months after the effective date of this amendatory Act of 1997, the required interest shall be at the rate of 2.5% per year, compounded annually; otherwise, the required interest".~~

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 Hultgren, **Senate Bill No. 710**, having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Wilhelmi, **Senate Bill No. 719** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 719

AMENDMENT NO. 1. Amend Senate Bill 719 by replacing line 2 on page 8 with the following:

"xxviii. Regional councils of government."

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 Halvorson, **Senate Bill No. 753** having been printed, was taken up, read by title a second time.

Senator Halvorson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 753

AMENDMENT NO. 1. Amend Senate Bill 753 by replacing everything after the enacting clause with the following:

"Section 5. The State Officials and Employees Ethics Act is amended by changing Sections 1-5 and 70-5 as follows:

(5 ILCS 430/1-5)

Sec. 1-5. Definitions. As used in this Act:

"Appointee" means a person appointed to a position in or with a State agency, regardless of whether the position is compensated.

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"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected State office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election.

"Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act.

"Commission" means an ethics commission created by this Act.

"Compensated time" means any time worked by or credited to a State employee that counts toward any minimum work time requirement imposed as a condition of employment with a State agency, but does not include any designated State holidays or any period when the employee is on a leave of absence.

"Compensatory time off" means authorized time off earned by or awarded to a State employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment with a State agency.

"Contribution" has the same meaning as that term is defined in Section 9-1.4 of the Election Code.

"Employee" means (i) any person employed full-time, part-time, or pursuant to a contract and whose employment duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed or (ii) any appointee.

"Executive branch constitutional officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an employee, member, or officer.

"Governmental entity" means a unit of local government (including a community college district) or a school district but not a State agency.

"Leave of absence" means any period during which a State employee does not receive (i) compensation for State employment, (ii) service credit towards State pension benefits, and (iii) health insurance benefits paid for by the State.

"Legislative branch constitutional officer" means a member of the General Assembly and the Auditor General.

"Legislative leader" means the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House of Representatives.

"Member" means a member of the General Assembly.

"Officer" means an executive branch constitutional officer or a legislative branch constitutional officer.

"Political" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action (as those terms are defined in Section 2 of the Lobbyist Registration Act), (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official State duties or governmental and public service functions.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or report regarding any thing of value intended as a campaign contribution.

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election, except to the extent that under subsection (d) of Section 6 of Article IV of the Illinois Constitution each house of the General Assembly shall judge the elections, returns, and qualifications of its members.

"Prohibited source" means any person or entity who:

(1) is seeking official action (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;

(2) does business or seeks to do business (i) with the member or officer or (ii) in the case of an employee, with the employee or with the member, officer, State agency, or other employee directing the employee;

(3) conducts activities regulated (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the member, officer, or employee; or

(5) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors.

"State agency" includes all officers, boards, commissions and agencies created by the Constitution, whether in the executive or legislative branch; all officers, departments, boards, commissions, agencies, institutions, authorities, public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), and bodies politic and corporate of the State; and administrative units or corporate outgrowths of the State government which are created by or pursuant to statute, other than units of local government (including community college districts) and their officers, school districts, and boards of election commissioners; and all administrative units and corporate outgrowths of the above and as may be created by executive order of the Governor. "State agency" includes the General Assembly, the Senate, the House of Representatives, the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House of Representatives, the Senate Operations Commission, and the legislative support services agencies. "State agency" includes the Office of the Auditor General. "State agency" does not include the judicial branch.

"State employee" means any employee of a State agency.

"Ultimate jurisdictional authority" means the following:

(1) For members, legislative partisan staff, and legislative secretaries, the appropriate legislative leader: President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, or Minority Leader of the House of Representatives.

(2) For State employees who are professional staff or employees of the Senate and not covered under item (1), the Senate Operations Commission.

(3) For State employees who are professional staff or employees of the House of Representatives and not covered under item (1), the Speaker of the House of Representatives.

(4) For State employees who are employees of the legislative support services agencies, the Joint Committee on Legislative Support Services.

(5) For State employees of the Auditor General, the Auditor General.

(6) For State employees of public institutions of higher learning as defined in Section 2 of the Higher Education Cooperation Act (except community colleges), the board of trustees of the appropriate public institution of higher learning.

(7) For State employees of an executive branch constitutional officer other than those described in paragraph (6), the appropriate executive branch constitutional officer.

(8) For State employees not under the jurisdiction of paragraph (1), (2), (3), (4), (5), (6), or (7), the Governor.

(Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03; 93-685, eff. 7-8-04.)

(5 ILCS 430/70-5)

Sec. 70-5. Adoption by governmental entities.

(a) Within 6 months after the effective date of this Act, each governmental entity other than a community college district, and each community college district within 6 months after the effective date of this amendatory Act of the 95th General Assembly, shall adopt an ordinance or resolution that regulates, in a manner no less restrictive than Section 5-15 and Article 10 of this Act, (i) the political activities of officers and employees of the governmental entity and (ii) the soliciting and accepting of gifts by and the offering and making of gifts to officers and employees of the governmental entity.

(b) Within 3 months after the effective date of this amendatory Act of the 93rd General Assembly, the Attorney General shall develop model ordinances and resolutions for the purpose of this Article. The Attorney General shall advise governmental entities on their contents and adoption.

(c) As used in this Article, (i) an "officer" means an elected or appointed official; regardless of whether the official is compensated, and (ii) an "employee" means a full-time, part-time, or contractual employee.

(Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Halvorson, **Senate Bill No. 1189**, having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Halvorson, **Senate Bill No. 1190**, 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. 1249** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1249

AMENDMENT NO. 1. Amend Senate Bill 1249 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Fringe Benefit Portability and Continuity Act.

Section 5. Public policy. It is the purpose of this Act that temporary or short-term employees employed by the State of Illinois and its political subdivisions or other public employers shall have continuity of health and welfare insurance, pension, and other fringe benefits for work performed for the State of Illinois, its political subdivisions, and other public employers, and that the State of Illinois and

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its political subdivisions and other public employers shall have the contractual authority to execute written agreements with employee benefit plans and labor organizations to ensure that temporary and short-term employees have continuity of health and welfare insurance, pension, and other fringe benefits for work performed for the State of Illinois and its political subdivisions or other public employers.

Section 10. Application. This Act applies to the State of Illinois and its political subdivisions and other public employers that employ temporary or short-term employees who are not covered by an employment contract or collective bargaining agreement but who are referred from labor organizations and are receiving a fringe benefit allowance directly and in the form of wages from the State of Illinois and its political subdivisions and other public employers.

Section 15. Definitions. As used in this Act, unless the context otherwise requires:

"Employee benefit plan" shall mean an employee benefit plan as defined under the Employee Retirement Income Security Act, 29 U.S.C. 1001, et. seq.

"Temporary or short-term employee" shall mean an employee who is not covered by a collective bargaining agreement or an employment contract.

"Written agreement" shall mean a participation agreement or other agreement prescribed by the employee benefit plan or labor organization but shall not be construed as a collective bargaining agreement, except as permitted under the Illinois Public Labor Relations Act.

Section 20. Fringe benefit portability and continuity.

(a) The State of Illinois and its political subdivisions and other public employers shall enter into written agreements with employee benefit plans and labor organizations providing that the State of Illinois and its political subdivisions and other public employers shall remit the fringe benefit allowance of the applicable wage package directly to the applicable employee benefit plans as an employer contribution for the temporary or short-term employees who are referred from labor organizations, provided that:

(1) The employee benefit plans are employee pension benefit plans or employee welfare benefit plans under the Employee Retirement Income Security Act.

(2) The referred employee, as a condition of referral to the State of Illinois and its political subdivisions or other public employers as a temporary or short-term employee, has entered into an agreement or authorization with a labor organization to have the fringe benefit allowance of the applicable wage rate remitted directly to an employee benefit plan.

(3) The fringe benefit allowance of the applicable wage package shall be an employer contribution and not an employee wage deduction.

(4) The State of Illinois and its political subdivisions and other public employers agree, in writing, to make contributions subject to the same rules and policies generally applicable to private employers who are making contributions to that employee benefit plan.

(b) The written agreement specified in subsection (a) shall not be construed as a collective bargaining agreement, contract for employment, or an agreement that otherwise guarantees the employment of the temporary or short-term employees used by the State of Illinois and its political subdivisions and other public employers. Nothing in this Act shall be construed to afford temporary or short-term employees the right to organize or collectively bargain pursuant to the Illinois Public Labor Relations Act, except as specifically provided by the provisions of that Act. Nothing in this Act shall be construed to afford temporary or short-term employees any benefit or the right to participate in any retirement system of the State of Illinois, except as specifically provided by the provisions of the Illinois Pension Code.

Section 25. Construction of Act. This Act shall be liberally construed to effect the purposes of the Act. By virtue of this Act, the State of Illinois and its political subdivisions or other public employers shall not be considered to be maintaining or administering an employee benefit plan.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes."

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

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

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On motion of Senator Haine, **Senate Bill No. 1347** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 1347

AMENDMENT NO. 1. Amend Senate Bill 1347 on page 1, by deleting lines 4 through 23; and by deleting page 2; and on page 3, by deleting line 1; and on page 3, line 2, by replacing "Section 10" with "Section 5"; and

on page 5, by replacing lines 4 through 10 with the following:

"and fees" does not include (i) fees paid to the Veterans Administration required by law; (ii) fees paid to the Federal Housing Administration required by law; (iii) fees paid to the United States Department of Agriculture's Rural Development Loan Program required by law; (iv) fees paid for private mortgage insurance; or (v) all fees paid to a mortgage broker by a lender if the loan is less than \$50,000."

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

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 Sandoval, **Senate Bill No. 1455** having been printed, was taken up, read by title a second time.

Senator Sandoval offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1455

AMENDMENT NO. 1. Amend Senate Bill 1455 by replacing everything after the enacting clause with the following:

"Section 10. The Higher Education Student Assistance Act is amended by adding Section 65.85 as follows:

(110 ILCS 947/65.85 new)

Sec. 65.85. Higher education revolving loans.

(a) In this Section, "eligible student" means a student enrolled at the undergraduate level at an institution of higher learning who (i) if the student has not yet completed one term at an institution of higher learning, had a 3.0 cumulative grade point average or its equivalent after graduating from an approved high school or (ii) if the student has completed at least one term at an institution of higher learning, has a 3.0 post-secondary cumulative grade point average or its equivalent. The student must also be an Illinois resident. Notwithstanding any other provision of law to the contrary, the Commission shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the Commission with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

(b) The Commission shall, subject to appropriation, implement and administer a higher education revolving loan program to provide loans to eligible students, as defined in this Act and as determined by the Commission, for the costs of attending an institution of higher learning in this State. These loans must be offered at a low interest rate to be determined by the Commission, taking into account in its

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deliberations both program sustainability and affordability for loan recipients.

(c) An individual may not receive loans under this Section in excess of \$5,000 or the student's tuition and mandatory fees, whichever is less, per academic year. Loan funds must be paid directly to the institution of higher learning.

(d) The repayment period for a loan made under this Section may not exceed 15 years. A person who receives a loan under this Section shall begin repaying the loan beginning 6 months after the person no longer attends an institution of higher learning. The loan recipient shall repay at a minimum 5% of the principal each year or the remaining balance of the loan. Additionally, in each month, the loan recipient shall repay a minimum of \$50 or the remaining balance of the loan.

(e) Any moneys transferred or appropriated for the purposes of this Section, as well as all repayments of loans made under this higher education revolving loan program and all interest earned on moneys in the program, must be used by the Commission only for making loans to Illinois students.

(f) The Commission shall adopt any rules necessary to implement and administer this Section.

Section 99. Effective date. This Act takes effect July 1, 2007."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Kotowski, **Senate Bill No. 1471** 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 1471

AMENDMENT NO. 1. Amend Senate Bill 1471 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by adding Section 24-1.8 as follows:

(720 ILCS 5/24-1.8 new)

Sec. 24-1.8. Manufacture, possession, delivery, sale, and purchase of .50 caliber rifles and .50 caliber cartridges.

(a) Definitions. In this Section:

(1) ".50 caliber rifle" means a centerfire rifle capable of firing a .50 caliber cartridge. The term does not include any antique firearm as defined in 18 U.S.C. Section 921 (a)(16), any shotgun including a shotgun that has a rifle barrel, or a muzzle-loader used for "black powder" hunting or battle re-enactments.

(2) ".50 caliber cartridge" means a cartridge in .50 BMG caliber, either by designation or actual measurement, that is capable of being fired from a centerfire rifle. The term ".50 caliber cartridge" does not include any memorabilia or display item that is filled with a permanent inert substance or that is otherwise permanently altered in a manner that prevents ready modification for use as live ammunition or shotgun ammunition with a caliber measurement that is equal to or greater than .50 caliber.

(b) Except as provided in subsections (c) and (d), 90 days after the effective date of this amendatory Act of the 95th General Assembly, it is unlawful for any person within this State to knowingly manufacture, deliver, sell, purchase, or possess or cause to be manufactured, delivered, sold, purchased, or possessed, any .50 caliber rifle or .50 caliber cartridge.

(c) This Section does not apply to a person who possessed a weapon prohibited by subsection (b) before the effective date of this amendatory Act of the 95th General Assembly, provided that the person has provided proof of ownership to the Department of State Police within 90 days after the effective date of this amendatory Act of the 95th General Assembly as required by law. On or after the effective date of this amendatory Act of the 95th General Assembly, such person may transfer such weapon only to an heir, an individual residing in another state maintaining that weapon in another state, or a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968.

(d) This Section does not apply to or affect any of the following:

(1) Peace officers as defined in Section 2-13 of this Code and retired peace officers not otherwise prohibited from receiving a firearm, in possession of a .50 caliber rifle transferred to the retired peace officer by his or her law enforcement agency upon retirement.

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(2) Wardens, superintendents, and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duties or while traveling to or from their place of duty.

(4) Manufacture, transportation, or sale of weapons or ammunition to persons authorized under subdivisions (1) through (3) of this subsection to possess those items.

(5) Possession of a .50 caliber rifle or .50 caliber cartridge at events taking place at the World Shooting and Recreational Complex at Sparta, only while engaged in the legal use of the firearm, or while traveling to or from this location if the items are broken down in a non-functioning state, or are not immediately accessible, or are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container.

(6) Possession of any firearm if that firearm is sanctioned by the International Olympic Committee and by USA Shooting, the national governing body for international shooting competition in the United States, but only when the firearm is in the actual possession of an Olympic target shooting competitor or target shooting coach for the purpose of storage, transporting to and from Olympic target shooting practice or events if the firearm is broken down in a non-functioning state, is not immediately accessible, or is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, and when the Olympic target shooting competitor or target shooting coach is engaging in those practices or events. For the purposes of this paragraph (6), "firearm" is defined in Section 1.1 of the Firearm Owners Identification Card Act.

(7) Possession of a .50 caliber rifle or a .50 caliber cartridge only for a hunting use expressly permitted under the Wildlife Code, or while traveling to or from a location authorized for such hunting use under the Wildlife Code if the items are broken down in a non-functioning state, or are not immediately accessible, or are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container.

(8) Manufacture, transportation, possession, sale, or rental of blank-firing .50 caliber rifles to persons authorized or permitted, or both authorized and permitted to acquire and possess such weapons for the purposes of rental for use solely as props for a motion picture, television, or video production or entertainment event.

(e) Sentence.

(1) A person who knowingly manufactures, delivers, sells, purchases, or possesses or causes to be manufactured, delivered, sold, purchased, or possessed in violation of this Section a .50 caliber rifle commits a Class 3 felony for a first violation and a Class 2 felony for a second or subsequent violation or for the possession or delivery of 2 or more of these weapons at the same time.

(2) A person who knowingly manufactures, delivers, sells, purchases, or possesses or causes to be manufactured, delivered, sold, purchased, or possessed in violation of this Section a .50 caliber cartridge commits a Class A misdemeanor.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

Senator Kotowski offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 1471

AMENDMENT NO. 2. Amend Senate Bill 1471, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, lines 12 and 13, by replacing "18 U.S.C. Section 921(a)(16)" with "27 C.F.R. Section 478.11"; and

on page 1, line 14, by replacing "rifle" with "rifled"; and

on page 2, line 17, by replacing "weapon" with "rifle or cartridge"; and

on page 2, by replacing lines 18 through 22 with the following:

"of this amendatory Act of the 95th General Assembly. On or after the effective date of this"; and

on page 2, line 24, by replacing "weapon" with "rifle or cartridge".

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The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Righter had an inquiry of the Chair as to whether Senate Bill 1471 would be moved from the order of second reading to the order of third reading since there is a pending request for a fiscal note.

The Chair ordered the bill to be held, as amended with Amendments Numbered 1 and 2, on second reading and reminded members of the need for fiscal notes to be filed in a timely fashion.

There being no further amendments, the bill was held on second reading.

On motion of Senator Althoff, **Senate Bill No. 1494**, having been printed, was taken up, read by title a second time.

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

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

On motion of Senator Delgado, **Senate Bill No. 1746**, having been printed, was taken up, read by title a second time.

Senate Floor Amendment Nos. 1 and 2 were held in the Committee on Rules.

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

EXCUSED FROM ATTENDANCE

On motion of Senator Halvorson, Senator Silverstein was excused from attendance due to illness.

Senator Righter asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 1:50 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 2:39 o'clock p.m., the Senate resumed consideration of business.

Senator Hendon, presiding.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION 122

Offered by Senator E. Jones and all Senators:

Mourns the death of Carolyn Adams.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1257, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Cullerton moved that **Senate Resolution No. 53**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Cullerton moved that Senate Resolution No. 53 be adopted.

The motion prevailed.

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And the resolution was adopted.

Senator Hunter moved that **Senate Joint Resolution No. 9**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

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

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 9

AMENDMENT NO. 1. Amend Senate Joint Resolution 9 on page 4, line 15, by replacing "June 1" with "December 31".

Senator Hunter moved that Senate Joint Resolution No. 9, as amended, be adopted.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
Dahl	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

The motion prevailed.

And the resolution, as amended, was adopted.

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

Senator Wilhelmi moved that **Senate Joint Resolution No. 14**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

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

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 14

AMENDMENT NO. 1. Amend Senate Joint Resolution 14 on page 3, line 16, by replacing "2007" with "2008".

Senator Wilhelmi offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE JOINT RESOLUTION 14

AMENDMENT NO. 2. Amend Senate Joint Resolution 14 on page 3, line 21, by inserting

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"nation-wide" after "of".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Wilhelmi moved that Senate Joint Resolution No. 14, as amended, be adopted.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
Dahl	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

The motion prevailed.

And the resolution, as amended, was adopted.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Radogno, **Senate Bill No. 166**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 55; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Raoul
Bomke	Forby	Lauzen	Righter
Bond	Frerichs	Lightford	Risinger
Brady	Garrett	Link	Rutherford
Burzynski	Haine	Maloney	Sandoval
Clayborne	Halvorson	Martinez	Schoenberg
Collins	Harmon	Meeks	Sieben
Cronin	Hendon	Millner	Sullivan
Crotty	Holmes	Munoz	Syverson
Cullerton	Hultgren	Murphy	Trotter
Dahl	Hunter	Noland	Viverito
DeLeo	Jacobs	Pankau	Watson
Delgado	Jones, J.	Peterson	Wilhelmi
Demuzio	Koehler	Radogno	

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

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

On motion of Senator Link, **Senate Bill No. 169**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 49; Nays 7.

The following voted in the affirmative:

Althoff	Forby	Lightford	Ronen
Bomke	Garrett	Link	Sandoval
Bond	Haine	Luechtefeld	Schoenberg
Brady	Halvorson	Maloney	Sieben
Clayborne	Harmon	Martinez	Sullivan
Collins	Hendon	Meeks	Syverson
Cronin	Holmes	Millner	Trotter
Crotty	Hultgren	Munoz	Viverito
Cullerton	Hunter	Noland	Watson
DeLeo	Jacobs	Pankau	Wilhelmi
Delgado	Jones, J.	Peterson	
Demuzio	Koehler	Raoul	
Dillard	Kotowski	Risinger	

The following voted in the negative:

Burzynski	Frerichs	Murphy	Rutherford
Dahl	Lauzen	Radogno	

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

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

On motion of Senator Link, **Senate Bill No. 170**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Frerichs	Link	Ronen
Bomke	Garrett	Luechtefeld	Rutherford
Bond	Haine	Maloney	Sandoval
Brady	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
Dahl	Jacobs	Pankau	Watson

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DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	
Forby	Lightford	Risinger	

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

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

On motion of Senator Cullerton, **Senate Bill No. 172**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 54; Nays 2.

The following voted in the affirmative:

Althoff	Frerichs	Link	Risinger
Bomke	Garrett	Luechtefeld	Ronen
Bond	Haine	Maloney	Rutherford
Clayborne	Halvorson	Martinez	Sandoval
Collins	Harmon	Meeks	Schoenberg
Cronin	Hendon	Millner	Sieben
Crotty	Holmes	Munoz	Sullivan
Cullerton	Hultgren	Murphy	Syverson
Dahl	Hunter	Noland	Trotter
DeLeo	Jones, J.	Pankau	Viverito
Delgado	Koehler	Peterson	Watson
Demuzio	Kotowski	Radogno	Wilhelmi
Dillard	Lauzen	Raoul	
Forby	Lightford	Righter	

The following voted in the negative:

Burzynski
Jacobs

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

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

On motion of Senator Righter, **Senate Bill No. 174**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 53; Nays 1.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Burzynski	Halvorson	Maloney	Sandoval

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Clayborne	Harmon	Martinez	Schoenberg
Collins	Hendon	Meeks	Sieben
Cronin	Holmes	Millner	Sullivan
Crotty	Hultgren	Munoz	Trotter
Cullerton	Hunter	Murphy	Viverito
Dahl	Jacobs	Noland	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

The following voted in the negative:

Haine

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

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

Senator Haine asked and obtained unanimous consent for the Journal to reflect his affirmative vote on **Senate Bill No. 174**.

On motion of Senator Garrett, **Senate Bill No. 198**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Trotter
Crotty	Hultgren	Murphy	Viverito
Cullerton	Hunter	Noland	Watson
Dahl	Jacobs	Pankau	Wilhelmi
DeLeo	Jones, J.	Peterson	
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

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

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

On motion of Senator J. Jones, **Senate Bill No. 199**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

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Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
Dahl	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

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

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

On motion of Senator Sullivan, **Senate Bill No. 206**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
Dahl	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

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

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

On motion of Senator Holmes, **Senate Bill No. 207**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 56; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Sullivan
Collins	Hendon	Millner	Syverson
Cronin	Holmes	Munoz	Trotter
Crotty	Hultgren	Murphy	Viverito
Cullerton	Hunter	Noland	Watson
Dahl	Jacobs	Pankau	Wilhelmi
DeLeo	Jones, J.	Peterson	
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

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

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

On motion of Senator Holmes, **Senate Bill No. 208**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
Dahl	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

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

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

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On motion of Senator Haine, **Senate Bill No. 214**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 55; Nays None; Present 1.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Raoul
Bomke	Frerichs	Lightford	Righter
Bond	Garrett	Link	Risinger
Brady	Haine	Luechtefeld	Rutherford
Burzynski	Halvorson	Maloney	Sandoval
Clayborne	Harmon	Martinez	Schoenberg
Collins	Hendon	Meeks	Sieben
Cronin	Holmes	Millner	Sullivan
Crotty	Hultgren	Munoz	Syverson
Dahl	Hunter	Murphy	Trotter
DeLeo	Jacobs	Noland	Viverito
Delgado	Jones, J.	Pankau	Watson
Demuzio	Koehler	Peterson	Wilhelmi
Dillard	Kotowski	Radogno	

The following voted present:

Ronen

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

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

On motion of Senator Jacobs, **Senate Bill No. 215**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 57; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Rutherford
Brady	Haine	Maloney	Sandoval
Burzynski	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
Dahl	Jacobs	Pankau	Watson
DeLeo	Jones, J.	Peterson	Wilhelmi
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

[March 27, 2007]

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

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

On motion of Senator Martinez, **Senate Bill No. 220**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 50; Nays 6; Present 1.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Raoul
Bomke	Frerichs	Lightford	Ronen
Bond	Garrett	Link	Rutherford
Brady	Haine	Luechtefeld	Schoenberg
Clayborne	Halvorson	Maloney	Sieben
Collins	Harmon	Martinez	Sullivan
Cronin	Hendon	Meeks	Syverson
Crotty	Holmes	Millner	Trotter
Cullerton	Hultgren	Murphy	Viverito
Dahl	Hunter	Noland	Watson
DeLeo	Jones, J.	Pankau	Wilhelmi
Delgado	Koehler	Peterson	
Demuzio	Kotowski	Radogno	

The following voted in the negative:

Burzynski	Munoz	Risinger
Jacobs	Righter	Sandoval

The following voted present:

Dillard

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

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

COMMITTEE MEETING ANNOUNCEMENT

Senator Trotter, Chairperson of the Committee on Appropriations I, announced that the Appropriations I Committee will meet today in Room 212, at 4:00 o'clock p.m., or immediately upon adjournment.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Radogno, **Senate Bill No. 233**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

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Yeas 46; Nays 4; Present 6.

The following voted in the affirmative:

Althoff	Delgado	Koehler	Radogno
Bomke	Demuzio	Kotowski	Raoul
Bond	Dillard	Lauzen	Righter
Brady	Forby	Link	Risinger
Burzynski	Frerichs	Luechtefeld	Rutherford
Clayborne	Garrett	Martinez	Sieben
Collins	Halvorson	Meeks	Sullivan
Cronin	Harmon	Millner	Syverson
Crotty	Hendon	Murphy	Watson
Cullerton	Holmes	Noland	Wilhelmi
Dahl	Hultgren	Pankau	
DeLeo	Jones, J.	Peterson	

The following voted in the negative:

Jacobs	Munoz
Maloney	Viverito

The following voted present:

Haine	Lightford	Schoenberg
Hunter	Ronen	Trotter

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

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

Senator Sandoval asked and obtained unanimous consent for the Journal to reflect his negative vote on **Senate Bill 233**.

On motion of Senator Forby, **Senate Bill No. 241**, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

Yeas 41; Nays 11; Present 3.

The following voted in the affirmative:

Bond	Garrett	Lightford	Rutherford
Clayborne	Haine	Link	Sandoval
Collins	Halvorson	Luechtefeld	Schoenberg
Crotty	Harmon	Maloney	Sieben
Cullerton	Hendon	Martinez	Sullivan
Dahl	Holmes	Meeks	Trotter
DeLeo	Hunter	Millner	Viverito
Delgado	Jacobs	Munoz	Wilhelmi
Demuzio	Jones, J.	Noland	
Forby	Koehler	Raoul	
Frerichs	Kotowski	Ronen	

The following voted in the negative:

Althoff	Cronin	Murphy	Righter
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Bomke
Burzynski

Hultgren
Lauzen

Pankau
Radogno

Watson

The following voted present:

Dillard
Peterson
Risinger

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

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

At the hour of 4:15 o'clock p.m., Senator Link presiding.

REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, during its March 27, 2007 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: Senate Floor Amendment No. 2 to Senate Bill 201; Senate Floor Amendment No. 1 to Senate Bill 216; Senate Floor Amendment No. 1 to Senate Bill 824.

Commerce and Economic Development: Senate Floor Amendment No. 1 to Senate Bill 1097; Senate Floor Amendment No. 1 to Senate Bill 1606.

Education: Senate Floor Amendment No. 1 to Senate Bill 194; Senate Floor Amendment No. 2 to Senate Bill 306; Senate Floor Amendment No. 2 to Senate Bill 396; Senate Floor Amendment No. 1 to Senate Bill 398; Senate Floor Amendment No. 2 to Senate Bill 424; Senate Floor Amendment No. 1 to Senate Bill 538; Senate Floor Amendment No. 1 to Senate Bill 543; Senate Floor Amendment No. 2 to Senate Bill 671; Senate Floor Amendment No. 1 to Senate Bill 841; Senate Floor Amendment No. 1 to Senate Bill 843; Senate Floor Amendment No. 1 to Senate Bill 844; Senate Floor Amendment No. 1 to Senate Bill 850; Senate Floor Amendment No. 1 to Senate Bill 1183; Senate Floor Amendment No. 1 to Senate Bill 1426.

Environment and Energy: Senate Floor Amendment No. 1 to Senate Bill 680; Senate Floor Amendment No. 2 to Senate Bill 1184; Senate Floor Amendment No. 2 to Senate Bill 1241; Senate Floor Amendment No. 1 to Senate Bill 1257; Senate Floor Amendment No. 2 to Senate Bill 1257; Senate Floor Amendment No. 2 to Senate Bill 1400.

Executive: Senate Floor Amendment No. 1 to Senate Bill 500; Senate Floor Amendment No. 2 to Senate Bill 593; Senate Floor Amendment No. 2 to Senate Bill 1625; Senate Floor Amendment No. 4 to Senate Bill 1751.

Financial Institutions: Senate Floor Amendment No. 1 to Senate Bill 310; Senate Floor Amendment No. 1 to Senate Bill 388; Senate Floor Amendment No. 1 to Senate Bill 546; Senate Floor Amendment No. 2 to Senate Bill 1169; Senate Floor Amendment No. 2 to Senate Bill 1224; Senate Floor Amendment No. 2 to Senate Bill 1347.

Higher Education: Senate Floor Amendment No. 3 to Senate Bill 313; Senate Floor Amendment No. 2 to Senate Bill 325; Senate Floor Amendment No. 2 to Senate Bill 326.

Housing and Community Affairs: Senate Floor Amendment No. 1 to Senate Bill 688.

Human Services: Senate Floor Amendment No. 4 to Senate Bill 108; Senate Floor Amendment No. 1 to Senate Bill 124; Senate Floor Amendment No. 2 to Senate Bill 147; Senate

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Floor Amendment No. 2 to Senate Bill 544; Senate Floor Amendment No. 1 to Senate Bill 574; Senate Floor Amendment No. 2 to Senate Bill 581; Senate Floor Amendment No. 2 to Senate Bill 591; Senate Floor Amendment No. 2 to Senate Bill 595; Senate Floor Amendment No. 3 to Senate Bill 765; Senate Floor Amendment No. 1 to Senate Bill 776; Senate Floor Amendment No. 2 to Senate Bill 867; Senate Floor Amendment No. 2 to Senate Bill 934; Senate Floor Amendment No. 2 to Senate Bill 1245.

Insurance: Senate Floor Amendment No. 1 to Senate Bill 21; Senate Floor Amendment No. 2 to Senate Bill 21; Senate Floor Amendment No. 1 to Senate Bill 811; Senate Floor Amendment No. 1 to Senate Bill 935; Senate Floor Amendment No. 1 to Senate Bill 1208; Senate Floor Amendment No. 2 to Senate Bill 1208.

Judiciary Civil Law: Senate Floor Amendment No. 5 to Senate Bill 330; Senate Floor Amendment No. 2 to Senate Bill 333; Senate Floor Amendment No. 1 to Senate Bill 481; Senate Floor Amendment No. 2 to Senate Bill 481; Senate Floor Amendment No. 5 to Senate Bill 486; Senate Floor Amendment No. 1 to Senate Bill 996; Senate Floor Amendment No. 2 to Senate Bill 1306; Senate Floor Amendment No. 1 to Senate Bill 1434.

Judiciary Criminal Law: Senate Floor Amendment No. 1 to Senate Bill 121; Senate Floor Amendment No. 1 to Senate Bill 165; Senate Floor Amendment No. 2 to Senate Bill 300; Senate Floor Amendment No. 2 to Senate Bill 450; Senate Floor Amendment No. 3 to Senate Bill 665; Senate Floor Amendment No. 2 to Senate Bill 1005; Senate Floor Amendment No. 2 to Senate Bill 1006; Senate Floor Amendment No. 1 to Senate Bill 1095; Senate Floor Amendment No. 1 to Senate Bill 1348; Senate Floor Amendment No. 1 to Senate Bill 1391; Senate Floor Amendment No. 2 to Senate Bill 1397.

Labor: Senate Floor Amendment No. 2 to Senate Bill 1249; Senate Floor Amendment No. 1 to Senate Bill 1529; Senate Floor Amendment No. 1 to Senate Bill 1734.

Licensed Activities: Senate Floor Amendment No. 2 to Senate Bill 128; Senate Floor Amendment No. 2 to Senate Bill 155; Senate Floor Amendment No. 1 to Senate Bill 211; Senate Floor Amendment No. 2 to Senate Bill 509; Senate Floor Amendment No. 2 to Senate Bill 573; Senate Floor Amendment No. 1 to Senate Bill 745; Senate Floor Amendment No. 2 to Senate Bill 745.

Local Government: Senate Floor Amendment No. 3 to Senate Bill 113; Senate Floor Amendment No. 3 to Senate Bill 417; Senate Floor Amendment No. 3 to Senate Bill 662; Senate Floor Amendment No. 3 to Senate Bill 1250; Senate Floor Amendment No. 1 to Senate Bill 1508; Senate Floor Amendment No. 1 to Senate Bill 1746; Senate Floor Amendment No. 2 to Senate Bill 1746.

Pensions and Investments: Senate Floor Amendment No. 2 to Senate Bill 488; Senate Floor Amendment No. 1 to Senate Bill 810; Senate Floor Amendment No. 1 to Senate Bill 826; Senate Floor Amendment No. 1 to Senate Bill 1383.

Public Health: Senate Floor Amendment No. 1 to Senate Bill 243; Senate Floor Amendment No. 1 to Senate Bill 264; Senate Floor Amendment No. 1 to Senate Bill 937; Senate Floor Amendment No. 2 to Senate Bill 1324; Senate Floor Amendment No. 3 to Senate Bill 1324; Senate Floor Amendment No. 4 to Senate Bill 1566.

Revenue: Senate Floor Amendment No. 2 to Senate Bill 101; Senate Floor Amendment No. 2 to Senate Bill 267; Senate Floor Amendment No. 2 to Senate Bill 327; Senate Floor Amendment No. 2 to Senate Bill 794; Senate Floor Amendment No. 1 to Senate Bill 795; Senate Floor Amendment No. 2 to Senate Bill 1395; Senate Floor Amendment No. 2 to Senate Bill 1429; Senate Floor Amendment No. 3 to Senate Bill 1429; Senate Floor Amendment No. 4 to Senate Bill 1429; Senate Floor Amendment No. 1 to Senate Bill 1514.

State Government and Veterans Affairs: **Senate Floor Amendment No. 4 to Senate Bill 1448; Senate Floor Amendment No. 1 to Senate Bill 1479; Senate Floor Amendment No. 1 to Senate Bill 1621.**

Transportation: **Senate Floor Amendment No. 1 to Senate Bill 314; Senate Floor Amendment No. 3 to Senate Bill 435; Senate Floor Amendment No. 1 to Senate Bill 639; Senate Floor Amendment No. 1 to Senate Bill 1173; Senate Floor Amendment No. 2 to Senate Bill 1527.**

COMMITTEE MEETING ANNOUNCEMENTS

Senator Halvorson, Chairperson of the Committee on Executive, announced that the Executive Committee will meet Wednesday, March 28, 2007 in Room 212, at 2:00 o'clock p.m.

Senator Cullerton, Chairperson of the Committee on Judiciary Civil Law, announced that the Judiciary Civil Law Committee will meet Wednesday, March 28, 2007 in Room 212, at 9:30 o'clock a.m.

Senator Lightford, Chairperson of the Committee on Education, announced that the Education Committee will meet Wednesday, March 28, 2007 in Room 212, at 3:30 o'clock p.m.

Senator Meeks, Chairperson of the Committee on Human Services, announced that the Human Services Committee will meet Wednesday, March 28, 2007 in Room 400, at 1:00 o'clock p.m.

Senator Maloney, Chairperson of the Committee on Higher Education, announced that the Higher Education Committee will meet Wednesday, March 28, 2007 in Room 409, at 6:00 o'clock p.m.

Senator Sandoval, Chairperson of the Committee on Commerce and Economic Development, announced that the Commerce and Economic Development Committee will meet Wednesday, March 28, 2007 in Room 409, at 5:00 o'clock p.m.

Senator Collins, Chairperson of the Committee on Financial Institutions, announced that the Financial Institutions Committee will meet Wednesday, March 28, 2007 in Room 400, at 5:00 o'clock p.m.

Senator Crotty, Chairperson of the Committee on Local Government, announced that the Local Government Committee will meet Wednesday, March 28, 2007 in Room 409, at 9:30 o'clock a.m.

Senator Wilhelmi, Chairperson of the Committee on Judiciary Criminal Law, announced that the Judiciary Criminal Law Committee will meet Wednesday, March 28, 2007 in Room 212, at 11:00 o'clock a.m.

Senator Trotter, Chairperson of the Committee on Appropriations I, announced that the Appropriations I Committee will meet today in Room 212, at 4:00 o'clock p.m., or upon adjournment.

Senator Jacobs, Chairperson of the Committee on Housing and Community Affairs, announced that the Housing and Community Affairs Committee will meet Wednesday, March 28, 2007 in Room 409, at 11:00 o'clock a.m.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, announced that the State Government and Veterans Affairs Committee will meet Wednesday, March 28, 2007 in Room 409, at 2:00 o'clock p.m.

Senator Garrett, Chairperson of the Committee on Public Health, announced that the Public Health Committee will meet Wednesday, March 28, 2007 in Room 400, at 9:30 o'clock a.m.

Senator Sullivan, Chairperson of the Committee on Agriculture and Conservation, announced that the Agriculture and Conservation Committee will meet Wednesday, March 28, 2007 in Room 409, at 1:00 o'clock p.m.

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Senator Schoenberg, Chairperson of the Committee on Appropriations II, announced that the Appropriations II Committee will meet Wednesday, March 28, 2007 in Room 212, at 6:00 o'clock p.m.

Senator Harmon, Chairperson of the Committee on Revenue, announced that the Revenue Committee will meet Wednesday, March 28, 2007 in Room 400, at 2:00 o'clock p.m.

Senator Ronen, Chairperson of the Committee on Licensed Activities, announced that the Licensed Activities Committee will meet Wednesday, March 28, 2007 in Room 409, at 3:30 o'clock p.m.

Senator Haine, Chairperson of the Committee on Insurance, announced that the Insurance Committee will meet Wednesday, March 28, 2007 in Room 400, at 6:00 o'clock p.m.

Senator Raoul, Chairperson of the Committee on Pensions and Investments, announced that the Pensions and Investments Committee will meet Wednesday, March 28, 2007 in Room 400, at 12:30 o'clock p.m.

Senator Bond, Chairperson of the Committee on Transportation, announced that the Transportation Committee will meet Wednesday, March 28, 2007 in Room 400, at 11:00 o'clock a.m.

Senator Holmes, Vice Chairperson of the Committee on Labor, announced that the Labor Committee will meet Wednesday, March 28, 2007 in Room 400, at 3:30 o'clock p.m.

Senator Trotter, Vice Chairperson of the Committee on Environment and Energy, announced that the Environment and Energy Committee will meet Wednesday, March 28, 2007 in Room 212, at 1:00 o'clock p.m.

At the hour of 4:34 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, March 28, 2007, at 9:00 o'clock a.m.