



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**39TH LEGISLATIVE DAY**

**TUESDAY, MAY 15, 2007**

**12:32 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**39th Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator James A. DeLeo, Chicago, Illinois, presiding.  
 Prayer by Pastor Dan Rak, Trinity Vineyard Christian Fellowship, St. Charles, Illinois.  
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Thursday, May 10, 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.

## **PRESENTATION OF RESOLUTIONS**

### **SENATE RESOLUTION 181**

Offered by Senator Clayborne and all Senators:  
 Mourns the death of Dr. Ferd J. Mueller of Belleville.

### **SENATE RESOLUTION 182**

Offered by Senator Millner and all Senators:  
 Mourns the death of Jane Radostits of Lockport.

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

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

### **SENATE JOINT RESOLUTION NO. 53**

WHEREAS, The percentage of Illinoisans without healthcare coverage has been rising for the last 15 years, growing from 9.7% in 1987 to 14.1% in 2002, and rural residents have been facing increasing barriers to health care including provider shortage, transportation, and lack of medical insurance; and

WHEREAS, More than 28% of the U.S. population, over 65 million people, live in rural areas, yet only 9% of physicians practice in rural areas and Illinois is no exception; and

WHEREAS, The shortage of rural health professionals in Illinois is on the rise and is expected to increase sharply in the next 10 years due to the retirement of an aging rural health professions workforce and the absence of adequate numbers of rural-specific students in health professions trainings programs to replace them, and this may increase the disparity in access to basic medical services unless corrective action is taken; and

WHEREAS, 80 Illinois counties are medical shortage areas, and if trends continue without intervention, 485 additional physicians will be required by 2010 and there will be a related demand for the allied health professionals necessary to provide comprehensive health services; and

WHEREAS, Health manpower shortages will be magnified as the aging rural population increases the demand for health care services; and

WHEREAS, Illinois is facing a 2010 nursing shortage of 4,265 nurses, of which nearly half will be required in rural communities to replace retirees and increased system demands for health care; and

WHEREAS, The average population-per dentist ratio places rural residents at nearly a 2 to 1 disadvantage for accessing dental care and in 82 of 88 rural counties there is no pediatric dentist participating in the Medicaid program and one-fifth of actively practicing rural dentists graduated from Illinois dental schools that no longer exist; and

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WHEREAS, The number of retail pharmacies in Illinois has increased, particularly in urban areas, but its has become increasingly difficult to recruit pharmacists for rural hospital work due to staffing shortages and maldistribution; and

WHEREAS, Illinois' rural residents face disparities in access to specialty medical services, tele-health, medical transportation, community health care access for basic services and mental health; and

WHEREAS, The late U.S. Senator Paul Simon was a special advocate for the citizens of Illinois and in that interest hosted a rural health care summit under the Paul Simon Public Policy Institute that generated a set of recommendations entitled "Charting a Health Care Agenda", which resulted in the creation by the 94th General Assembly of the 8-member Joint Task Force on Rural Health and Medically Underserved Areas that focused on the reduction of health care disparities in various shortage areas of Illinois; and

WHEREAS, The Joint Task Force on Rural Health and Medically Underserved Areas studied the health care disparities of the citizens of Illinois and proposed priority recommendations in its December 2006 report to the Governor and General Assembly to preserve capacity, improve access, and correct workforce shortages; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the recommendations of the Joint Task Force on Rural Health and Medically Underserved Areas be supported and implemented without delay; and be it further

RESOLVED, That each house in the General Assembly create a permanent standing committee charged with monitoring and advocating for the health needs of rural and medically underserved citizens of the State; and be it further

RESOLVED, That the General Assembly should consider allocating additional funds to implement the priority recommendations of the task force as a positive investment in the health care infrastructure of Illinois because they address long-standing critical deficits that need immediate attention; and be it further

RESOLVED, That immediate implementation of the Task Force priority recommendations would truly honor the legacy of the late Senator Paul Simon in terms of his advocacy and concerns regarding the reduction of health disparities across the State, and that it would be a fitting memorial for the 95th General Assembly to develop and implement in Senator Paul Simon's honor the Task Force recommendations with the appropriations necessary to accomplish the same.

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

#### **SENATE JOINT RESOLUTION NO. 54**

WHEREAS, The provision of a free, appropriate public education for a student with a visual impairment can occur only with the proper concentrated services, equipment, and access to education; and

WHEREAS, Children and youth who are visually impaired face unique and significant barriers related to their instruction that profoundly affect most aspects of the educational process, including the impact of ever changing technology and the world it encompasses; and

WHEREAS, Blindness and visual impairments are often considered secondary disabilities, thus the specialized educational needs of the blind and visually impaired are rarely fully addressed; and

WHEREAS, Children and youth with visual impairments are guaranteed an education in the least restrictive setting possible, meaning that they are entitled to be integrated as fully as possible into the

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regular classroom, unless there is clearly a reason for the child to be in a more specialized program; and

WHEREAS, Full access to education depends upon an educational environment that utilizes the appropriate materials and properly and fully trained staff and provides for direct communication between staff, students, parents, and peers; and

WHEREAS, The Illinois School for the Visually Impaired should become the go-to facility for best teaching practices regarding programs for children with visual impairments and the statewide center for teacher training and specialized curriculum development; and

WHEREAS, The Illinois School for the Visually Impaired should include on-going teacher training for itinerant, mainstream, and private school educators; and

WHEREAS, The Illinois School for the Visually Impaired should include specific programming on visual impairments for teaching and rehabilitation professionals from both the State Board of Education and the Department of Human Services; and

WHEREAS, While unemployment in the nation continues to drop, the unemployment rate for people with visual impairments is over 70%; and

WHEREAS, There should be greater access to transitional services for students who are blind or visually impaired entering vocational rehabilitation services and employment; and

WHEREAS, Successful transitional programs may result in better services and jobs, knowledgeable self-advocates, and achievement of competitive outcomes; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Joint Task Force on Blind and Visually Impaired Educational Options, consisting of 13 members appointed as follows:

(1) the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives shall each appoint one member; and

(2) the following entities shall each appoint one member: the State Board of Education, the Illinois Association of Regional Superintendents of Schools, the LightHouse for the Blind and Visually Impaired, the Illinois Committee of Blind Vendors, Illinois Parents of the Visually Impaired, the Blind Services Planning Council, the Illinois School for the Visually Impaired's Advisory Board, the Visual Disabilities education program at Northern Illinois University, and the Specialist in Low Vision and Blindness education program at Illinois State University; and be it further

RESOLVED, That all members of the Task Force shall serve without compensation; and be it further

RESOLVED, That the duty of the Task Force is to undertake a comprehensive and thorough review of the education of and services available to the blind and visually impaired children of this State with the intent of making recommendations that would recognize the need for delivering full educational services to a blind or visually impaired student, ensure that schools have the most updated and adequate equipment to provide services to blind and visually impaired students, and recognize the need for teachers trained in the unique needs of blind and visually impaired students; recommending uniform methods and procedures to develop curricula for blind and visually impaired students; and providing a comprehensive review of the needs and operation of the Illinois School for the Visually Impaired and making recommendations for changes; and be it further

RESOLVED, That the Task Force should look towards states that have successful, independent, and adequate educational models for students with visual impairments, such as the Washington State School for the Blind; and be it further

RESOLVED, That the Task Force may request assistance from any entity necessary or useful for the

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performance of the Task Force's duties; and be it further

RESOLVED, That the Task Force shall report its recommendations to the General Assembly on or before January 1, 2008; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the State Board of Education, the Illinois Association of Regional Superintendents of Schools, the LightHouse for the Blind and Visually Impaired, the Illinois Committee of Blind Vendors, Illinois Parents of the Visually Impaired, the Blind Services Planning Council, the Illinois School for the Visually Impaired's Advisory Board, the Visual Disabilities education program at Northern Illinois University, and the Specialist in Low Vision and Blindness education program at Illinois State University.

### COMMITTEE REPORT CORRECTION

H.B. 148 was reported out of the Senate Insurance Committee on May 10, 2007 with a recommendation of "Do Pass." H.B. 148 was in fact held in the committee.

### REPORTS FROM STANDING COMMITTEES

Senator Sandoval, Chairperson of the Committee on Commerce and Economic Development, to which was referred **House Bills Numbered 1259 and 1497**, reported the same back with the recommendation that the bills do pass.

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

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **House Bill No. 1662**, reported the same back with the recommendation that the bill do pass.

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

Senator Collins, Chairperson of the Committee on Financial Institutions, to which was referred **House Bill No. 497**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary Civil Law, to which was referred **House Bills Numbered 1071, 1797, 1798 and 3621**, reported the same back with the recommendation that the bills do pass.

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

Senator Cullerton and Senator Dillard, Co-Chairpersons of the Committee on Judiciary Civil Law, to which was referred **House Bills Numbered 619, 830, 1462, 3393 and 3627**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Crotty, Chairperson of the Committee on Local Government, to which was referred **House Bills Numbered 12, 263, 334, 553, 620, 699, 792, 840, 876, 962, 1562, 1608, 1666, 1671, 1673, 1685, 1752, 1753, 1872, 1876, 1881, 1917, 1923, 2782, 2918, 2920, 3425, 3573 and 3597**, reported the same back with the recommendation that the bills do pass.

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

Senator Garrett, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 192, 642, 680, 951, 1254, 1628, 1643, 1711, 1759, 2241, 2242 and 3604**, reported the same back with the recommendation that the bills do pass.

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

Senator Garrett, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 1256 and 1279**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Garrett, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendments, reported that the Committee recommends that they be adopted:

Senate Floor Amendment No. 2 to Senate Bill 5

Senate Floor Amendment No. 1 to Senate Bill 5

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

Senator Wilhelmi, Chairperson of the Committee on Judiciary Criminal Law, to which was referred **House Bills Numbered 50, 156, 170, 194, 439, 449, 539, 572, 622, 855, 900, 975, 991, 1050, 1080, 1236, 1289, 1517, 1557, 1641, 1684, 1979, 2734, 2858, 3382, 3454, 3512, 3586, 3588 and 3766**, reported the same back with the recommendation that the bills do pass.

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

Senator Wilhelmi, Chairperson of the Committee on Judiciary Criminal Law, to which was referred **House Bills Numbered 39, 174, 722, 977, 1403 and 1717**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 30, 161, 217, 226, 362, 536, 663, 1475, 1553, 1657, 1835, 1864, 1875, 1900, 2035, 2044, 2783, 2808, 3131, 3383, 3395 and 3667**, reported the same back with the recommendation that the bills do pass.

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

Senator Munoz, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 1116, 1491, 1499 and 3412**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Raoul, Chairperson of the Committee on Pensions and Investments, to which was referred **House Bill No. 3578**, reported the same back with the recommendation that the bill do pass.

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

Senator Raoul, Chairperson of the Committee on Pensions and Investments, to which was referred **House Bill No. 1960**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Forby, Chairperson of the Committee on Labor, to which was referred **House Bills Numbered 411, 742, 928, 985, 1359, 1542, 1719, 1855, 1919 and 3165**, reported the same back with the recommendation that the bills do pass.

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

Senator Forby, Chairperson of the Committee on Labor, to which was referred **House Bills Numbered 374, 820 and 1911**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

**MESSAGES FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

May 14, 2007

Ms. Deborah Shipley  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator James Clayborne to resume his position on the Senate Executive Committee. This appointment is effective immediately.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

May 14, 2007

Ms. Deborah Shipley  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator James Clayborne to resume his position on the Senate Insurance Committee. This appointment is effective immediately.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

**OFFICE OF THE SENATE PRESIDENT  
STATE OF ILLINOIS**

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

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May 14, 2007

Ms. Deborah Shipley  
Secretary of the Senate  
Room 403 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator James Clayborne to resume his position on the Senate Pensions & Investments Committee. This appointment is effective immediately.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 224**, sponsored by Senator Crotty, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 247**, sponsored by Senator Millner, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 626**, sponsored by Senator Kotowski, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 664**, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 896**, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 988**, sponsored by Senator Raoul, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1141**, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1290**, sponsored by Senator Cullerton, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1327**, sponsored by Senator Garrett, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1338**, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1351**, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1551**, sponsored by Senator Althoff, was taken up, read by title a first time and referred to the Committee on Rules.

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**House Bill No. 1580**, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1639**, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1805**, sponsored by Senator Ronen, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 2859**, sponsored by Senator DeLeo, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 3086**, sponsored by Senator Millner, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 3399**, sponsored by Senator Munoz, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 3446**, sponsored by Senator Halvorson, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 3666**, sponsored by Senator Sieben, was taken up, read by title a first time and referred to the Committee on Rules.

#### LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 3 to Senate Bill 133  
Senate Floor Amendment No. 4 to Senate Bill 1314

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

Senate Floor Amendment No. 1 to House Bill 369  
Senate Floor Amendment No. 2 to House Bill 841  
Senate Floor Amendment No. 1 to House Bill 1011  
Senate Floor Amendment No. 2 to House Bill 1641  
Senate Floor Amendment No. 4 to House Bill 1947  
Senate Floor Amendment No. 1 to House Bill 3463  
Senate Floor Amendment No. 1 to House Bill 3721

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

On motion of Senator Frerichs, **House Bill No. 28** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hendon, **House Bill No. 49** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **House Bill No. 120** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 121** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 121**

AMENDMENT NO. 1. Amend House Bill 121 on page 9, line 12, before "present", by inserting "for a license as a speech-language pathologist,"; and

on page 9, by replacing line 18 on page 9 through line 2 on page 10 with the following:

"(d-5) for a license as an audiologist, present satisfactory evidence of having received a master's or doctoral degree in audiology from a program approved by the Department; however, an applicant for licensure as an audiologist whose degree was conferred on or after January 1, 2008, must present satisfactory evidence of having received a doctoral degree in audiology from a program approved by the Department;".

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

On motion of Senator Dillard, **House Bill No. 126** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 133** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 4** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 4**

AMENDMENT NO. 1. Amend House Bill 4 on page 1, after line 14, by inserting the following:

"(a-5) Within 30 days after the effective date of this amendatory Act of the 95th General Assembly, one additional commissioner shall be appointed to the board of the Springfield Airport Authority from each municipality having a population of 5,000 or more within the Authority, and one additional commissioner shall be appointed at large. The additional commissioners shall serve for a term of 4 or 5 years, as determined by lot. Their successors shall serve for terms of 5 years."

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

On motion of Senator Demuzio, **House Bill No. 137** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 147** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bond, **House Bill No. 166** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sieben, **House Bill No. 201** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 202** having been printed, was taken up and 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 HOUSE BILL 202**

AMENDMENT NO. 1. Amend House Bill 202 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Youthbuild Act is amended by changing Sections 15, 25, 30, 35, and 40 and by adding Section 45 as follows:

(20 ILCS 1315/15)

Sec. 15. Program requirements. The Secretary ~~shall, subject to appropriation, be authorized to~~ make grants to applicants for the purpose of carrying out Youthbuild programs as approved under this Section. All programs funded pursuant to the provisions of this Section shall reflect strong youth and community involvement. In addition, funding provided under this Section shall be used by each Youthbuild program to provide, at a minimum, the following services:

(a) Acquisition, rehabilitation, acquisition and rehabilitation, or construction of housing and related facilities to be used for the purpose of providing home ownership for disadvantaged persons, residential housing for homeless individuals, and low-income and very low-income families, or transitional housing for persons who are homeless, have disabilities, are ill, are deinstitutionalized, or have special needs, and rehabilitation or construction of community facilities owned by not-for-profit or public agencies.

(b) Integrated education and job skills training services and activities which are evenly divided within the program, with 50% of students' time spent in classroom-based instruction, counseling, and leadership development instruction and 50% of their time spent in experiential training on the construction site. The programs shall include, at a minimum, the following elements:

(1) An education component which includes basic skills instruction, secondary education services, and other activities designed to lead to the attainment of a high school diploma or its equivalent. The curriculum for this component shall include math, language arts, vocational education, life skills training, social studies related to the cultural and community history of the students, leadership skills, and other topics at the discretion of the programs. Bilingual services shall be available for individuals with limited-English proficiency. The desired minimum teacher to student ratio shall be one teacher for every 18 students.

(2) A work experience and skills training component ~~apprenticeship~~ program that includes the construction and rehabilitation activities described in subsection (a). The process of construction must be coupled with skills training and with close on-site supervision by experienced trainers. The curriculum for this component shall contain a set of locally agreed upon skills and competencies that are systematically taught, with a student's mastery assessed individually on a regular, ongoing basis. Safety skills shall be taught at the outset. The desired trainer to student ratio shall be one trainer for every 7 students. The work experience and skills training component shall be coordinated to the maximum extent feasible with preapprenticeship and apprenticeship programs.

(3) Assistance in attaining post secondary education and required financial aid shall be made available to participants prior to graduation.

(c) Counseling services designed to assist participants to positively participate in society, which should include all of the following if necessary: outreach, assessment, and orientation; individual and peer counseling; life skills training, drug and alcohol abuse education and prevention; and referral to appropriate drug rehabilitation, medical, mental health, legal, housing, and other services and resources in the community. The desired counselor to participant ratio shall be one counselor for every 28 students.

(d) Leadership development training that provides participants with meaningful opportunities to develop leadership skills such as decision making, problem solving, and negotiating. The program must also encourage participants to develop strong peer group ties that support their mutual pursuit of skills and values.

All programs must establish a youth council in which participants are afforded opportunities to develop public speaking and negotiating skills, and management and policy making participation in specific aspects of the program.

(e) Stipends and wages. A training subsidy, living allowance, or stipend that will be no less than minimum wage must be provided to program participants for the time spent at the worksite in construction training. For those participants who receive public assistance, this training subsidy, living allowance, or stipend will not affect their housing benefits, medical benefits, child care benefits or food stamp benefits. Stipends and wages may be distributed in a manner that offers incentives for good performance.

(f) Full time participation in a Youthbuild program shall be offered for a period of not less than 6 months and not more than 24 months.

(g) A concentrated effort shall be made to find construction, construction-related, and nonconstruction jobs for all graduates of the program who have performed well. The skills training curriculum shall provide participants with basic preparation for seeking and maintaining a job. Follow-up counseling and assistance in job-seeking shall also be provided to participants for ~~at least the~~ at least 12 months following

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graduation from the program.

(h) All programs serving 28 trainees or more are required to have a full-time director responsible for the coordination of all aspects of the Youthbuild program.

(Source: P.A. 90-247, eff. 1-1-98.)

(20 ILCS 1315/25)

Sec. 25. Eligible participants. Eligible participants are youth 16 to 24 years old who are economically disadvantaged as defined in United States Code, Title 29, Section 1503, and who are part of one of the following groups:

(a) Persons who are not attending any school and have not received a secondary school diploma or its equivalent.

(b) Persons currently enrolled in a traditional or alternative school setting or a GED program and who are in danger of dropping out of school.

(c) A member of a low-income family, a youth in foster care (including a youth aging-out of foster care), a youth offender, a youth with a disability, a child of incarcerated parents, or a migrant youth ~~Very low income persons.~~

Not more than ~~Up to~~ 25% of the participants in the program may be individuals who do not meet the requirements of subsections (a) ~~or~~ (b), ~~and~~ (c), but who are deficient in basic skills despite having attained a secondary school diploma, General Educational Development (GED) certificate, or other State-recognized equivalent, or who have been referred by a local secondary school for participation in a Youthbuild program leading to the attainment of a secondary school diploma ~~have educational needs despite the attainment of a high school diploma.~~

(Source: P.A. 90-247, eff. 1-1-98.)

(20 ILCS 1315/30)

Sec. 30. Selection criteria. Priority in the awarding of funds under this Act shall be given to applicants with experience in operating Youthbuild programs. Organizations claiming to have operated Youthbuild programs must be licensed by Youthbuild USA or be organizations that have received federal ~~HUD~~ Youthbuild funding.

(Source: P.A. 90-247, eff. 1-1-98.)

(20 ILCS 1315/35)

Sec. 35. Eligible entities. Those eligible to be awarded funds under this Act are not-for-profit private agencies, or public agencies with experience operating a Youthbuild program or with a plan to incubate a Youthbuild program until it can be established as a program applicant ~~not for profit private agency.~~

(Source: P.A. 90-247, eff. 1-1-98.)

(20 ILCS 1315/40)

Sec. 40. Application requirements. The Secretary shall require that an application for Youthbuild funds under this Act contain at a minimum:

(1) a request for an implementation grant, specifying the amount of the grant requested and its proposed uses;

(2) a description of the applicant and a statement of its qualifications, including a description of the applicant's past experience running a Youthbuild program, and with housing rehabilitation or construction and with youth and youth education, youth leadership development and employment training programs, and its relationship with local unions and youth apprenticeship programs, and other community groups;

(3) a description of the proposed construction site for the program and evidence of site control;

(4) a description of the educational and job training activities, work opportunities, and other services that will be provided to participants;

(5) a description of the proposed construction or rehabilitation activities to be undertaken and the anticipated schedule for carrying out such activities;

(6) a description of the manner in which eligible youths will be recruited and selected, including a description of the arrangements which will be made with community-based organizations, local educational agencies, including agencies of Native American nations, public assistance agencies, the courts of jurisdiction for status and youth offenders, shelters for homeless individuals and other agencies that serve homeless youth, foster care agencies, and other appropriate public and private agencies;

(7) a description of the special efforts that will be undertaken to recruit eligible young women (including young women with dependent children) with appropriate supports, especially childcare;

(8) a description of how the proposed program will be coordinated with other federal, State, and local activities and activities conducted by Native American nations, including public schools, national service, crime prevention programs, vocational, adult, and bilingual education programs, and job training;

(9) assurances that there will be a sufficient number of adequately trained supervisory personnel in the program who have attained the level of journeyman or its equivalent;

(10) a description of the applicant's relationship with any local building trade unions which may exist, regarding their involvement in training, and the relationship of the Youthbuild program with registered established apprenticeship programs;

(11) a description of activities that will be undertaken to develop the leadership skills of participants, including their role in decision making;

(12) a detailed budget and a description of the system of fiscal controls and auditing and accountability procedures that will be used to ensure fiscal soundness;

(13) a description of any contracts and arrangements entered into between the applicant and other agencies and entities including all in-kind donations and grants from both public and private entities that will serve to augment Illinois Youthbuild Act funds;

(14) identification and description of the financing proposed for any:

(A) acquisition of the property;

(B) rehabilitation; or

(C) construction;

(15) identification and description of the entity that will operate and manage the property;

(16) a certification that the applicant will comply with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and will affirmatively further fair housing; and

(17) the qualifications and past experience of the person who will fill the full-time program director position.

(Source: P.A. 90-247, eff. 1-1-98.)

(20 ILCS 1315/45 new)

Sec. 45. Annual report. The Department of Human Services shall prepare an annual report summarizing costs and outcome data associated with the Youthbuild programs. The report must include, but not be limited to, the following information: (i) the number of participants in the program, (ii) the average cost per participant, (iii) the number of participants who achieve a high school diploma or its equivalent, and (iv) the number of projects completed by Youthbuild participants during that year. The Department must submit the report to the General Assembly by July 1, 2008 and by July 1 of each year thereafter.

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

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

On motion of Senator Althoff, **House Bill No. 251** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 254** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 272** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 282** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 290** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 293** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 297** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 304** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Sullivan, **House Bill No. 320** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Righter, **House Bill No. 328** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hendon, **House Bill No. 335** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 351** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 369** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **House Bill No. 375** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 376** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 415** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 427** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Burzynski, **House Bill No. 438** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schoenberg, **House Bill No. 463** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 470** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 508** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 508**

AMENDMENT NO. 1. Amend House Bill 508, on page 1, by replacing lines 8 and 9 with the following:

"driving."; and

on page 1, by replacing line 18 with the following:

"subsections (b-1), (c), and (d) ~~subsection (e)~~ of this Section.

(b-1) Except as provided in subsection (d), any person convicted of violating subsection (a), if the violation causes bodily harm to a child or a school crossing guard while the school crossing guard is performing his or her official duties, is guilty of a Class 4 felony."; and

on page 1, line 22, by replacing "Aggravated" with "Except as provided in subsection (d) of this Section, aggravated ~~Aggravated~~"; and

on page 2, by replacing lines 1 through 7 with the following:

"(d) Any person convicted of violating subsection (a), if the violation causes great bodily harm or permanent disability or disfigurement to a child or a school crossing guard while the school crossing

guard is performing his or her official duties, is guilty of aggravated reckless driving. Aggravated reckless driving under this subsection (d) is a Class 3 felony."

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

On motion of Senator Kotowski, **House Bill No. 517** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **House Bill No. 518** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 570** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 574** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 574**

AMENDMENT NO. 1. Amend House Bill 574 on page 3, line 4, by replacing "Services; and" with "Services;"; and

on page 3, line 8, by replacing "municipalities." with "municipalities;"; and

on page 3, after line 8, by inserting the following:

"(19) One member representing the Office of the State Comptroller, appointed by the Comptroller; and  
(20) One member representing school administrators, appointed by the State Superintendent of Education."

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

On motion of Senator Althoff, **House Bill No. 576** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 586** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 616** having been printed, was taken up and 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 HOUSE BILL 616**

AMENDMENT NO. 1. Amend House Bill 616 on page 11, after line 19, by inserting the following:

"Section 10. The Juvenile Court Act of 1987 is amended by changing Sections 2-10, 2-13, and 2-25 as follows:

(705 ILCS 405/2-10) (from Ch. 37, par. 802-10)

Sec. 2-10. Temporary custody hearing. At the appearance of the minor before the court at the temporary custody hearing, all witnesses present shall be examined before the court in relation to any matter connected with the allegations made in the petition.

(1) If the court finds that there is not probable cause to believe that the minor is abused, neglected or dependent it shall release the minor and dismiss the petition.

(2) If the court finds that there is probable cause to believe that the minor is abused, neglected or dependent, the court shall state in writing the factual basis supporting its finding and the minor, his or

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her parent, guardian, custodian and other persons able to give relevant testimony shall be examined before the court. The Department of Children and Family Services shall give testimony concerning indicated reports of abuse and neglect, of which they are aware of through the central registry, involving the minor's parent, guardian or custodian. After such testimony, the court may, consistent with the health, safety and best interests of the minor, enter an order that the minor shall be released upon the request of parent, guardian or custodian if the parent, guardian or custodian appears to take custody. If it is determined that a parent's, guardian's, or custodian's compliance with critical services mitigates the necessity for removal of the minor from his or her home, the court may enter an Order of Protection setting forth reasonable conditions of behavior that a parent, guardian, or custodian must observe for a specified period of time, not to exceed 12 months, without a violation; provided, however, that the 12-month period shall begin anew after any violation. Custodian shall include any agency of the State which has been given custody or wardship of the child. If it is consistent with the health, safety and best interests of the minor, the court may also prescribe shelter care and order that the minor be kept in a suitable place designated by the court or in a shelter care facility designated by the Department of Children and Family Services or a licensed child welfare agency; however, a minor charged with a criminal offense under the Criminal Code of 1961 or adjudicated delinquent shall not be placed in the custody of or committed to the Department of Children and Family Services by any court, except a minor less than 13 years of age and committed to the Department of Children and Family Services under Section 5-710 of this Act or a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule. In placing the minor, the Department or other agency shall, to the extent compatible with the court's order, comply with Section 7 of the Children and Family Services Act. In determining the health, safety and best interests of the minor to prescribe shelter care, the court must find that it is a matter of immediate and urgent necessity for the safety and protection of the minor or of the person or property of another that the minor be placed in a shelter care facility or that he or she is likely to flee the jurisdiction of the court, and must further find that reasonable efforts have been made or that, consistent with the health, safety and best interests of the minor, no efforts reasonably can be made to prevent or eliminate the necessity of removal of the minor from his or her home. The court shall require documentation from the Department of Children and Family Services as to the reasonable efforts that were made to prevent or eliminate the necessity of removal of the minor from his or her home or the reasons why no efforts reasonably could be made to prevent or eliminate the necessity of removal. When a minor is placed in the home of a relative, the Department of Children and Family Services shall complete a preliminary background review of the members of the minor's custodian's household in accordance with Section 4.3 of the Child Care Act of 1969 within 90 days of that placement. If the minor is ordered placed in a shelter care facility of the Department of Children and Family Services or a licensed child welfare agency, the court shall, upon request of the appropriate Department or other agency, appoint the Department of Children and Family Services Guardianship Administrator or other appropriate agency executive temporary custodian of the minor and the court may enter such other orders related to the temporary custody as it deems fit and proper, including the provision of services to the minor or his family to ameliorate the causes contributing to the finding of probable cause or to the finding of the existence of immediate and urgent necessity.

Where the Department of Children and Family Services Guardianship Administrator is appointed as the executive temporary custodian, the Department of Children and Family Services shall file with the court and serve on the parties a parent-child visiting plan, within 10 days, excluding weekends and holidays, after the appointment. The parent-child visiting plan shall set out the time and place of visits, the frequency of visits, the length of visits, who shall be present at the visits, and where appropriate, the minor's opportunities to have telephone and mail communication with the parents. For good cause, the court may waive the requirement to file the parent-child visiting plan or extend the time for filing the parent-child visiting plan. Any party may, by motion, request the court to review the parent-child visiting plan to determine whether it is reasonably calculated to expeditiously facilitate the achievement of the permanency goal and is consistent with the minor's best interest. The frequency, duration, and locations of visitation shall be measured by the needs of the child and family, and not by the convenience of Department personnel. Child development principles shall be considered by the court in its analysis of how frequent visitation should be, how long it should last, where it should take place, and who should be present. If upon motion of the party to review the plan and after receiving evidence, the court determines that the parent-child visiting plan is not reasonably calculated to expeditiously facilitate the achievement of the permanency goal or that the restrictions placed on parent-child contact are contrary to the child's best interests, the court shall put in writing the factual basis supporting the determination and enter specific findings based on the evidence. The court shall enter an order for the Department to implement

changes to the parent-child visiting plan, consistent with the court's findings. At any stage of proceeding, any party may by motion request the court to enter any orders necessary to implement the parent-child visiting plan. Nothing under this subsection (2) shall restrict the court from granting discretionary authority to the Department to increase opportunities for additional parent-child contacts, without further court orders. Nothing in this subsection (2) shall restrict the Department from immediately restricting or terminating parent-child contact, without either amending the parent-child visiting plan or obtaining a court order, where the Department or its assigns reasonably believe that continuation of parent-child contact, as set out in the parent-child visiting plan, would be contrary to the child's health, safety, and welfare. The Department shall file with the court and serve on the parties any amendments to the visitation plan within 10 days, excluding weekends and holidays, of the change of the visitation. Any party may, by motion, request the court to review the parent-child visiting plan to determine whether the parent-child visiting plan is reasonably calculated to expeditiously facilitate the achievement of the permanency goal, and is consistent with the minor's health, safety, and best interest.

Acceptance of services shall not be considered an admission of any allegation in a petition made pursuant to this Act, nor may a referral of services be considered as evidence in any proceeding pursuant to this Act, except where the issue is whether the Department has made reasonable efforts to reunite the family. In making its findings that it is consistent with the health, safety and best interests of the minor to prescribe shelter care, the court shall state in writing (i) the factual basis supporting its findings concerning the immediate and urgent necessity for the protection of the minor or of the person or property of another and (ii) the factual basis supporting its findings that reasonable efforts were made to prevent or eliminate the removal of the minor from his or her home or that no efforts reasonably could be made to prevent or eliminate the removal of the minor from his or her home. The parents, guardian, custodian, temporary custodian and minor shall each be furnished a copy of such written findings. The temporary custodian shall maintain a copy of the court order and written findings in the case record for the child. The order together with the court's findings of fact in support thereof shall be entered of record in the court.

Once the court finds that it is a matter of immediate and urgent necessity for the protection of the minor that the minor be placed in a shelter care facility, the minor shall not be returned to the parent, custodian or guardian until the court finds that such placement is no longer necessary for the protection of the minor.

If the child is placed in the temporary custody of the Department of Children and Family Services for his or her protection, the court shall admonish the parents, guardian, custodian or responsible relative that the parents must cooperate with the Department of Children and Family Services, comply with the terms of the service plans, and correct the conditions which require the child to be in care, or risk termination of their parental rights.

(3) If prior to the shelter care hearing for a minor described in Sections 2-3, 2-4, 3-3 and 4-3 the moving party is unable to serve notice on the party respondent, the shelter care hearing may proceed ex-parte. A shelter care order from an ex-parte hearing shall be endorsed with the date and hour of issuance and shall be filed with the clerk's office and entered of record. The order shall expire after 10 days from the time it is issued unless before its expiration it is renewed, at a hearing upon appearance of the party respondent, or upon an affidavit of the moving party as to all diligent efforts to notify the party respondent by notice as herein prescribed. The notice prescribed shall be in writing and shall be personally delivered to the minor or the minor's attorney and to the last known address of the other person or persons entitled to notice. The notice shall also state the nature of the allegations, the nature of the order sought by the State, including whether temporary custody is sought, and the consequences of failure to appear and shall contain a notice that the parties will not be entitled to further written notices or publication notices of proceedings in this case, including the filing of an amended petition or a motion to terminate parental rights, except as required by Supreme Court Rule 11; and shall explain the right of the parties and the procedures to vacate or modify a shelter care order as provided in this Section. The notice for a shelter care hearing shall be substantially as follows:

NOTICE TO PARENTS AND CHILDREN  
OF SHELTER CARE HEARING

On ..... at ....., before the Honorable ....., (address:)  
....., the State of Illinois will present evidence (1) that (name of child or children)  
..... are abused, neglected or dependent for the following reasons:  
..... and (2) ~~whether that~~ there is "immediate and urgent  
necessity" to remove the child or children from the responsible relative.

YOUR FAILURE TO APPEAR AT THE HEARING MAY RESULT IN PLACEMENT of the child or children

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in foster care until a trial can be held. A trial may not be held for up to 90 days. You will not be entitled to further notices of proceedings in this case, including the filing of an amended petition or a motion to terminate parental rights.

At the shelter care hearing, parents have the following rights:

1. To ask the court to appoint a lawyer if they cannot afford one.
2. To ask the court to continue the hearing to allow them time to prepare.
3. To present evidence concerning:
  - a. Whether or not the child or children were abused, neglected or dependent.
  - b. Whether or not there is "immediate and urgent necessity" to remove the child from home (including: their ability to care for the child, conditions in the home, alternative means of protecting the child other than removal).
  - c. The best interests of the child.
4. To cross examine the State's witnesses.

The Notice for rehearings shall be substantially as follows:

**NOTICE OF PARENT'S AND CHILDREN'S RIGHTS  
TO REHEARING ON TEMPORARY CUSTODY**

If you were not present at and did not have adequate notice of the Shelter Care Hearing at which temporary custody of ..... was awarded to ....., you have the right to request a full rehearing on whether the State should have temporary custody of ....., To request this rehearing, you must file with the Clerk of the Juvenile Court (address): ....., in person or by mailing a statement (affidavit) setting forth the following:

1. That you were not present at the shelter care hearing.
2. That you did not get adequate notice (explaining how the notice was inadequate).
3. Your signature.
4. Signature must be notarized.

The rehearing should be scheduled within 48 hours of your filing this affidavit.

At the rehearing, your rights are the same as at the initial shelter care hearing. The enclosed notice explains those rights.

At the Shelter Care Hearing, children have the following rights:

1. To have a guardian ad litem appointed.
2. To be declared competent as a witness and to present testimony concerning:
  - a. Whether they are abused, neglected or dependent.
  - b. Whether there is "immediate and urgent necessity" to be removed from home.
  - c. Their best interests.
3. To cross examine witnesses for other parties.
4. To obtain an explanation of any proceedings and orders of the court.

(4) If the parent, guardian, legal custodian, responsible relative, minor age 8 or over, or counsel of the minor did not have actual notice of or was not present at the shelter care hearing, he or she may file an affidavit setting forth these facts, and the clerk shall set the matter for rehearing not later than 48 hours, excluding Sundays and legal holidays, after the filing of the affidavit. At the rehearing, the court shall proceed in the same manner as upon the original hearing.

(5) Only when there is reasonable cause to believe that the minor taken into custody is a person described in subsection (3) of Section 5-105 may the minor be kept or detained in a detention home or county or municipal jail. This Section shall in no way be construed to limit subsection (6).

(6) No minor under 16 years of age may be confined in a jail or place ordinarily used for the confinement of prisoners in a police station. Minors under 17 years of age must be kept separate from confined adults and may not at any time be kept in the same cell, room, or yard with adults confined pursuant to the criminal law.

(7) If the minor is not brought before a judicial officer within the time period as specified in Section 2-9, the minor must immediately be released from custody.

(8) If neither the parent, guardian or custodian appears within 24 hours to take custody of a minor released upon request pursuant to subsection (2) of this Section, then the clerk of the court shall set the matter for rehearing not later than 7 days after the original order and shall issue a summons directed to the parent, guardian or custodian to appear. At the same time the probation department shall prepare a report on the minor. If a parent, guardian or custodian does not appear at such rehearing, the judge may enter an order prescribing that the minor be kept in a suitable place designated by the Department of Children and Family Services or a licensed child welfare agency.

(9) Notwithstanding any other provision of this Section any interested party, including the State, the

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temporary custodian, an agency providing services to the minor or family under a service plan pursuant to Section 8.2 of the Abused and Neglected Child Reporting Act, foster parent, or any of their representatives, on notice to all parties entitled to notice, may file a motion that it is in the best interests of the minor to modify or vacate a temporary custody order on any of the following grounds:

(a) It is no longer a matter of immediate and urgent necessity that the minor remain in shelter care; or

(b) There is a material change in the circumstances of the natural family from which the minor was removed and the child can be cared for at home without endangering the child's health or safety; or

(c) A person not a party to the alleged abuse, neglect or dependency, including a parent, relative or legal guardian, is capable of assuming temporary custody of the minor; or

(d) Services provided by the Department of Children and Family Services or a child welfare agency or other service provider have been successful in eliminating the need for temporary custody and the child can be cared for at home without endangering the child's health or safety.

In ruling on the motion, the court shall determine whether it is consistent with the health, safety and best interests of the minor to modify or vacate a temporary custody order.

The clerk shall set the matter for hearing not later than 14 days after such motion is filed. In the event that the court modifies or vacates a temporary custody order but does not vacate its finding of probable cause, the court may order that appropriate services be continued or initiated in behalf of the minor and his or her family.

(10) When the court finds or has found that there is probable cause to believe a minor is an abused minor as described in subsection (2) of Section 2-3 and that there is an immediate and urgent necessity for the abused minor to be placed in shelter care, immediate and urgent necessity shall be presumed for any other minor residing in the same household as the abused minor provided:

(a) Such other minor is the subject of an abuse or neglect petition pending before the court; and

(b) A party to the petition is seeking shelter care for such other minor.

Once the presumption of immediate and urgent necessity has been raised, the burden of demonstrating the lack of immediate and urgent necessity shall be on any party that is opposing shelter care for the other minor.

(Source: P.A. 94-604, eff. 1-1-06.)

(705 ILCS 405/2-13) (from Ch. 37, par. 802-13)

Sec. 2-13. Petition.

(1) Any adult person, any agency or association by its representative may file, or the court on its own motion, consistent with the health, safety and best interests of the minor may direct the filing through the State's Attorney of a petition in respect of a minor under this Act. The petition and all subsequent court documents shall be entitled "In the interest of ..., a minor".

(2) The petition shall be verified but the statements may be made upon information and belief. It shall allege that the minor is abused, neglected, or dependent, with citations to the appropriate provisions of this Act, and set forth (a) facts sufficient to bring the minor under Section 2-3 or 2-4 and to inform respondents of the cause of action, including, but not limited to, a plain and concise statement of the factual allegations that form the basis for the filing of the petition; (b) the name, age and residence of the minor; (c) the names and residences of his parents; (d) the name and residence of his legal guardian or the person or persons having custody or control of the minor, or of the nearest known relative if no parent or guardian can be found; and (e) if the minor upon whose behalf the petition is brought is sheltered in custody, the date on which such temporary custody was ordered by the court or the date set for a temporary custody hearing. If any of the facts herein required are not known by the petitioner, the petition shall so state.

(3) The petition must allege that it is in the best interests of the minor and of the public that he be adjudged a ward of the court and may pray generally for relief available under this Act. The petition need not specify any proposed disposition following adjudication of wardship. The petition may request that the minor remain in the custody of the parent, guardian, or custodian under an Order of Protection.

(4) If termination of parental rights and appointment of a guardian of the person with power to consent to adoption of the minor under Section 2-29 is sought, the petition shall so state. If the petition includes this request, the prayer for relief shall clearly and obviously state that the parents could permanently lose their rights as a parent at this hearing.

In addition to the foregoing, the petitioner, by motion, may request the termination of parental rights and appointment of a guardian of the person with power to consent to adoption of the minor under Section 2-29 at any time after the entry of a dispositional order under Section 2-22.

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(4.5) (a) With respect to any minors committed to its care pursuant to this Act, the Department of Children and Family Services shall request the State's Attorney to file a petition or motion for termination of parental rights and appointment of guardian of the person with power to consent to adoption of the minor under Section 2-29 if:

- (i) a minor has been in foster care, as described in subsection (b), for 15 months of the most recent 22 months; or
- (ii) a minor under the age of 2 years has been previously determined to be abandoned at an adjudicatory hearing; or

(iii) the parent is criminally convicted of (A) first degree murder or second degree murder of any child, (B) attempt or conspiracy to commit first degree murder or second degree murder of any child, (C) solicitation to commit murder of any child, solicitation to commit murder for hire of any child, or solicitation to commit second degree murder of any child, (D) aggravated battery, aggravated battery of a child, or felony domestic battery, any of which has resulted in serious injury to the minor or a sibling of the minor, (E) aggravated criminal sexual assault in violation of subdivision (b)(1) of Section 12-14 of the Criminal Code of 1961, or (F) an offense in any other state the elements of which are similar and bear a substantial relationship to any of the foregoing offenses unless:

- (i) the child is being cared for by a relative,
- (ii) the Department has documented in the case plan a compelling reason for determining that filing such petition would not be in the best interests of the child,
- (iii) the court has found within the preceding 12 months that the Department has failed to make reasonable efforts to reunify the child and family, or
- (iv) paragraph (c) of this subsection (4.5) provides otherwise.

(b) For purposes of this subsection, the date of entering foster care is defined as the earlier of:

- (1) The date of a judicial finding at an adjudicatory hearing that the child is an abused, neglected, or dependent minor; or
- (2) 60 days after the date on which the child is removed from his or her parent, guardian, or legal custodian.

(c) With respect to paragraph (a)(i), the following transition rules shall apply:

(1) If the child entered foster care after November 19, 1997 and this amendatory Act of 1998 takes effect before the child has been in foster care for 15 months of the preceding 22 months, then the Department shall comply with the requirements of paragraph (a) of this subsection (4.5) for that child as soon as the child has been in foster care for 15 of the preceding 22 months.

(2) If the child entered foster care after November 19, 1997 and this amendatory Act of 1998 takes effect after the child has been in foster care for 15 of the preceding 22 months, then the Department shall comply with the requirements of paragraph (a) of this subsection (4.5) for that child within 3 months after the end of the next regular session of the General Assembly.

(3) If the child entered foster care prior to November 19, 1997, then the Department shall comply with the requirements of paragraph (a) of this subsection (4.5) for that child in accordance with Department policy or rule.

(d) If the State's Attorney determines that the Department's request for filing of a petition or motion conforms to the requirements set forth in subdivisions (a), (b), and (c) of this subsection (4.5), then the State's Attorney shall file the petition or motion as requested.

(5) The court shall liberally allow the petitioner to amend the petition to set forth a cause of action or to add, amend, or supplement factual allegations that form the basis for a cause of action up until 14 days before the adjudicatory hearing. The petitioner may amend the petition after that date and prior to the adjudicatory hearing if the court grants leave to amend upon a showing of good cause. The court may allow amendment of the petition to conform with the evidence at any time prior to ruling. In all cases in which the court has granted leave to amend based on new evidence or new allegations, the court shall permit the respondent an adequate opportunity to prepare a defense to the amended petition.

(6) At any time before dismissal of the petition or before final closing and discharge under Section 2-31, one or more motions in the best interests of the minor may be filed. The motion shall specify sufficient facts in support of the relief requested.

(Source: P.A. 89-704, eff. 8-16-97 (changed from 1-1-98 by P.A. 90-443); 90-28, eff. 1-1-98; 90-608, eff. 6-30-98.)

(705 ILCS 405/2-25) (from Ch. 37, par. 802-25)

Sec. 2-25. Order of protection.

(1) The court may make an order of protection in assistance of or as a condition of any other order authorized by this Act. The order of protection shall be based on the health, safety and best interests of

the minor and may set forth reasonable conditions of behavior to be observed for a specified period. Such an order may require a person:

- (a) to stay away from the home or the minor;
  - (b) to permit a parent to visit the minor at stated periods;
  - (c) to abstain from offensive conduct against the minor, his parent or any person to whom custody of the minor is awarded;
  - (d) to give proper attention to the care of the home;
  - (e) to cooperate in good faith with an agency to which custody of a minor is entrusted by the court or with an agency or association to which the minor is referred by the court;
  - (f) to prohibit and prevent any contact whatsoever with the respondent minor by a specified individual or individuals who are alleged in either a criminal or juvenile proceeding to have caused injury to a respondent minor or a sibling of a respondent minor;
  - (g) to refrain from acts of commission or omission that tend to make the home not a proper place for the minor;
  - (h) to refrain from contacting the minor and the foster parents in any manner that is not specified in writing in the case plan.
- (2) The court shall enter an order of protection to prohibit and prevent any contact between a respondent minor or a sibling of a respondent minor and any person named in a petition seeking an order of protection who has been convicted of heinous battery under Section 12-4.1, aggravated battery of a child under Section 12-4.3, criminal sexual assault under Section 12-13, aggravated criminal sexual assault under Section 12-14, predatory criminal sexual assault of a child under Section 12-14.1, criminal sexual abuse under Section 12-15, or aggravated criminal sexual abuse under Section 12-16 of the Criminal Code of 1961, or has been convicted of an offense that resulted in the death of a child, or has violated a previous order of protection under this Section.
- (3) When the court issues an order of protection against any person as provided by this Section, the court shall direct a copy of such order to the Sheriff of that county. The Sheriff shall furnish a copy of the order of protection to the Department of State Police within 24 hours of receipt, in the form and manner required by the Department. The Department of State Police shall maintain a complete record and index of such orders of protection and make this data available to all local law enforcement agencies.
- (4) After notice and opportunity for hearing afforded to a person subject to an order of protection, the order may be modified or extended for a further specified period or both or may be terminated if the court finds that the health, safety, and best interests of the minor and the public will be served thereby.
- (5) An order of protection may be sought at any time during the course of any proceeding conducted pursuant to this Act if such an order is consistent with the health, safety, and best interests of the minor. Any person against whom an order of protection is sought may retain counsel to represent him at a hearing, and has rights to be present at the hearing, to be informed prior to the hearing in writing of the contents of the petition seeking a protective order and of the date, place and time of such hearing, and to cross examine witnesses called by the petitioner and to present witnesses and argument in opposition to the relief sought in the petition.
- (6) Diligent efforts shall be made by the petitioner to serve any person or persons against whom any order of protection is sought with written notice of the contents of the petition seeking a protective order and of the date, place and time at which the hearing on the petition is to be held. When a protective order is being sought in conjunction with a temporary custody hearing, if the court finds that the person against whom the protective order is being sought has been notified of the hearing or that diligent efforts have been made to notify such person, the court may conduct a hearing. If a protective order is sought at any time other than in conjunction with a temporary custody hearing, the court may not conduct a hearing on the petition in the absence of the person against whom the order is sought unless the petitioner has notified such person by personal service at least 3 days before the hearing or has sent written notice by first class mail to such person's last known address at least 5 days before the hearing.
- (7) A person against whom an order of protection is being sought who is neither a parent, guardian, legal custodian or responsible relative as described in Section 1-5 is not a party or respondent as defined in that Section and shall not be entitled to the rights provided therein. Such person does not have a right to appointed counsel or to be present at any hearing other than the hearing in which the order of protection is being sought or a hearing directly pertaining to that order. Unless the court orders otherwise, such person does not have a right to inspect the court file.
- (8) All protective orders entered under this Section shall be in writing. Unless the person against whom the order was obtained was present in court when the order was issued, the sheriff, other law enforcement official or special process server shall promptly serve that order upon that person and file

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proof of such service, in the manner provided for service of process in civil proceedings. The person against whom the protective order was obtained may seek a modification of the order by filing a written motion to modify the order within 7 days after actual receipt by the person of a copy of the order. Any modification of the order granted by the court must be determined to be consistent with the best interests of the minor.

(9) If a petition is filed charging a violation of a condition contained in the protective order and if the court determines that this violation is of a critical service necessary to the safety and welfare of the minor, the court may proceed to findings and an order for temporary custody.

(Source: P.A. 89-428, eff. 12-13-95; 89-462, eff. 5-29-96; 90-15, eff. 6-13-97; 90-28, eff. 1-1-98; 90-655, eff. 7-30-98.)"

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

On motion of Senator Clayborne, **House Bill No. 617** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **House Bill No. 625** having been printed, was taken up and 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 HOUSE BILL 625**

AMENDMENT NO. 1. Amend House Bill 625 on page 3, line 11, after "Act" by inserting ", with the exceptions of facilities operated by a county or Illinois Veterans Homes,"; and

on page 3, by replacing lines 15 through 19 with the following:

"This Act does not apply to any change of ownership of a healthcare facility that is licensed under the Nursing Home Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes. Changes of ownership of facilities licensed under the Nursing Home Care Act must meet the requirements set forth in Sections 3-101 through 3-119 of the Nursing Home Care Act."; and

on page 13, by replacing lines 4 through 10 with the following:

"thereof, that the violation continues. For purposes of this subparagraph (5), facilities licensed under the Nursing Home Care Act, with the exceptions of facilities operated by a county or Illinois Veterans Homes, are exempt from this permit requirement. However, facilities licensed under the Nursing Home Care Act must comply with Section 3-423 of that Act and must provide the Board with 30-days' written notice of its intent to close."

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

On motion of Senator Frerichs, **House Bill No. 634** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **House Bill No. 652** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Clayborne, **House Bill No. 654** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 654**

AMENDMENT NO. 1. Amend House Bill 654, on page 2, by replacing lines 22 through 26 with the following:

"disposition of court supervision,"; and

on page 3, by deleting lines 6 through 9.

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

On motion of Senator Frerichs, **House Bill No. 682** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator J. Jones, **House Bill No. 709** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 724** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 732** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 734** having been printed, was taken up and 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 HOUSE BILL 734**

AMENDMENT NO. 1. Amend House Bill 734 on page 3, by deleting lines 25 and 26.

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

On motion of Senator Koehler, **House Bill No. 736** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 759** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 802** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 809** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 817** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 822** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 822**

AMENDMENT NO. 1. Amend House Bill 822 by replacing everything after the enacting clause with the following:

"Section 5. The Animal Welfare Act is amended by changing Section 2.2 as follows:  
(225 ILCS 605/2.2) (from Ch. 8, par. 302.2)

Sec. 2.2. No dog dealer, kennel operator, animal shelter, animal control facility, or cattery operator shall separate a puppy or kitten from its mother, for the purpose of sale or adoption, until such puppy or kitten has attained the age of 8 weeks.

All licensees under this Act shall maintain records of the origin and sale of all dogs, and such records shall be made available for inspection by the Secretary or the Department upon demand. Such records must contain proof in proper form of purebreds and their pedigree, and evidence of such proof must be provided to any person acquiring a dog from a licensee under this Act. In addition, guard dog services shall be required to maintain records of transfer of ownership, death, or disappearance of a guard dog or

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sentry dog used by that guard dog service.

An animal control facility, foster home, or animal shelter shall not adopt or release any dog or cat to anyone other than the owner unless the animal has been rendered incapable of reproduction and microchipped, unless a licensed veterinarian certifies that the dog or cat is too sick or injured to be sterilized or that it would be detrimental to the health of the dog or cat to be spayed or neutered. A person wishing to adopt an animal unable to be sterilized prior to adoption because of a medical condition shall have executed a written agreement promising to have such service performed, including microchipping, within 14 days after a licensed veterinarian authorizes a statement that the dog or cat is healthy enough to be sterilized. Failure to fulfill the terms of the agreement shall result in seizure and impoundment of the animal and any offspring by the animal control facility or shelter, and any monies which have been deposited shall be forfeited and submitted to the Pet Population Control Fund on a yearly basis.

(Source: P.A. 89-178, eff. 7-19-95.)

Section 10. The Animal Control Act is amended by changing Sections 9, 11, and 15.3 and by adding Sections 2.17c and 15.4 as follows:

(510 ILCS 5/2.17c new)

Sec. 2.17c. "Potentially dangerous dog" means a dog that is unsupervised and found running at large with 3 or more other dogs.

(510 ILCS 5/9) (from Ch. 8, par. 359)

Sec. 9. Any dog found running at large contrary to provisions of this Act may be apprehended and impounded. For this purpose, the Administrator shall utilize any existing or available animal control facility or licensed animal shelter. The dog's owner shall pay a \$25 public safety fine, \$20 of which shall be deposited into the Pet Population Control Fund and \$5 of which shall be retained by the county or municipality. A dog found running at large contrary to the provisions of this Act a second or subsequent time must be spayed or neutered within 30 days after being reclaimed unless already spayed or neutered; failure to comply shall result in impoundment.

A dog that is actively engaged in a legal hunting activity, including training, is not considered to be running at large if the dog is on land that is open to hunting or on land on which the person has obtained permission to hunt or to train a dog. A dog that is in a dog-friendly area or dog park is not considered to be running at large if the dog is monitored or supervised by a person.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

(510 ILCS 5/11) (from Ch. 8, par. 361)

Sec. 11. When not redeemed by the owner, agent, or caretaker, a dog or cat must be scanned for a microchip. If a microchip is present, the registered owner must be notified. After contact has been made or attempted, dogs or cats deemed adoptable by the animal control facility shall be offered for adoption, or made available to a licensed humane society or rescue group. If no placement is available, it shall be humanely dispatched pursuant to the Humane Euthanasia in Animal Shelters Act. An animal pound or animal shelter shall not adopt or release any dog or cat to anyone other than the owner ~~when not redeemed by the owner~~ unless the animal has been rendered incapable of reproduction and microchipped, unless a licensed veterinarian certifies that the dog or cat is too sick or injured to be sterilized or that it would be detrimental to the health of the dog or cat to be spayed or neutered. A ~~or the~~ person wishing to adopt an animal unable to be sterilized prior to adoption because of a medical condition prior to the surgical procedures having been performed shall have executed a written agreement promising to have such service performed, including microchipping, within 14 days after a licensed veterinarian authorizes a statement that the dog or cat is healthy enough to be sterilized ~~a specified period of time not to exceed 30 days~~. Failure to fulfill the terms of the agreement shall result in seizure and impoundment of the animal and any offspring by the animal pound or shelter, and any monies which have been deposited shall be forfeited and submitted to the Pet Population Control Fund on a yearly basis. This Act shall not prevent humane societies from engaging in activities set forth by their charters; provided, they are not inconsistent with provisions of this Act and other existing laws. No animal shelter or animal control facility shall release dogs or cats to an individual representing a rescue group, unless the group has been licensed or has a foster care permit issued by the Illinois Department of Agriculture or is a representative of a not-for-profit out-of-state organization. The Department may suspend or revoke the license of any animal shelter or animal control facility that fails to comply with the requirements set forth in this Section or that fails to report its intake and euthanasia statistics each year.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

(510 ILCS 5/15.3)

Sec. 15.3. Dangerous dog; appeal.

(a) The owner of a dog found to be a dangerous dog pursuant to this Act by an Administrator may file a complaint against the Administrator in the circuit court within 35 days of receipt of notification of the determination, for a de novo hearing on the determination. The proceeding shall be conducted as a civil hearing pursuant to the Illinois Rules of Evidence and the Code of Civil Procedure, including the discovery provisions. After hearing both parties' evidence, the court may make a determination of dangerous dog if the Administrator meets his or her burden of proof of a preponderance of the evidence of clear and convincing evidence. The final order of the circuit court may be appealed pursuant to the civil appeals provisions of the Illinois Supreme Court Rules.

(b) The owner of a dog found to be a dangerous dog pursuant to this Act by the Director may, within 14 days of receipt of notification of the determination, request an administrative hearing to appeal the determination. The administrative hearing shall be conducted pursuant to the Department of Agriculture's rules applicable to formal administrative proceedings, 8 Ill. Adm. Code Part 1, SubParts A and B. An owner desiring a hearing shall make his or her request for a hearing to the Illinois Department of Agriculture. The final administrative decision of the Department may be reviewed judicially by the circuit court of the county wherein the person resides or, in the case of a corporation, the county where its registered office is located. If the plaintiff in a review proceeding is not a resident of Illinois, the venue shall be in Sangamon County. The Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto, apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder.

(c) Until the order has been reviewed and at all times during the appeal process, the owner shall comply with the requirements set forth by the Administrator, the court, or the Director.

(d) At any time after a final order has been entered, the owner may petition the circuit court to reverse the designation of dangerous dog.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/15.4 new)

Sec. 15.4. Potentially dangerous dog. A dog found running at large with 3 or more other dogs may be deemed a potentially dangerous dog by the animal control warden or administrator. Potentially dangerous dogs shall be spayed or neutered and microchipped within 14 days of reclaim. The designation of "potentially dangerous dog" shall expire 12 months after the most recent violation of this Section. Failure to comply with this Section will result in impoundment of the dog or a fine of \$500."

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

On motion of Senator Clayborne, **House Bill No. 825** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 828** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 892** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 894** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 909** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **House Bill No. 913** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 913**

AMENDMENT NO. 1. Amend House Bill 913 by deleting Section 5.

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

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On motion of Senator Meeks, **House Bill No. 937** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 943** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hendon, **House Bill No. 950** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 984** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 987** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dahl, **House Bill No. 1004** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 1019** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 1020** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 1024** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 1030** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1030**

AMENDMENT NO. 1. Amend House Bill 1030 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 2-3.142 as follows:  
(105 ILCS 5/2-3.142 new)

Sec. 2-3.142. Special education expenditure and receipt report. The State Board of Education shall issue an annual report to the General Assembly and Governor identifying each school district's special education expenditures; receipts received from State, federal, and local sources; and net special education expenditures over receipts received, if applicable. Expenditures and receipts shall be calculated in a manner specified by the State Board using data obtained from the Annual Financial Report, the Funding and Child Tracking System, and district enrollment information. This report must be issued on or before May 1, 2008 and on or before each May 1 thereafter.

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

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

On motion of Senator Forby, **House Bill No. 1031** was taken up, read by title a second time and ordered to a third reading.

Senator Link asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

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

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At the hour of 1:31 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 3:24 o'clock p.m., the Senate resumed consideration of business.  
Senator Halvorson, presiding.

#### LEGISLATIVE MEASURES FILED

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

Senate Floor Amendment No. 2 to House Bill 277  
Senate Floor Amendment No. 2 to House Bill 570  
Senate Floor Amendment No. 2 to House Bill 830  
Senate Floor Amendment No. 1 to House Bill 991  
Senate Floor Amendment No. 1 to House Bill 1259  
Senate Floor Amendment No. 3 to House Bill 1423  
Senate Floor Amendment No. 2 to House Bill 3586

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

On motion of Senator Haine, **House Bill No. 1124** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Ronen, **House Bill No. 1284** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 1301** having been printed, was taken up and 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 HOUSE BILL 1301

AMENDMENT NO. 1. Amend House Bill 1301 as follows:

on page 4, lines 5 and 6, by replacing "regardless of the age of the residents" with "including the option to serve residents under the age of 60"; and

on page 4, line 11, after "residents." by inserting "The Office and designated regional programs may represent all residents, but are not required by this Act to represent persons under 60 years of age, except to the extent required by federal law."; and

on page 4, line 15, after "Department of Human Services" by inserting "and other State agencies"; and

on page 4, line 20, after "potential) of" by inserting "the residents they serve, including children."; and

on page 4, line 21, after "disorders)" by inserting ", and persons with developmental disabilities".

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

On motion of Senator Haine, **House Bill No. 1303** was taken up, read by title a second time and ordered to a third reading.

[May 15, 2007]



On motion of Senator Martinez, **House Bill No. 1330** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1330**

AMENDMENT NO. 1. Amend House Bill 1330 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 2-3.142 and by changing Section 10-22.39 as follows:

(105 ILCS 5/2-3.142 new)

Sec. 2-3.142. The Ensuring Success in School Task Force.

(a) In this Section:

"Domestic violence organization" or "sexual violence organization" means a nonprofit, nongovernmental organization that provides assistance to victims of domestic or sexual violence or to advocates for such victims, including an organization carrying out a domestic or sexual violence program; an organization operating a shelter or a rape crisis center or providing counseling services; or an organization that seeks to eliminate domestic or sexual violence through legislative advocacy or policy change, public education, or service collaboration.

"Domestic violence" means abuse by a family or household member, as "abuse" and "family or household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Expectant parent" means a female who is pregnant or a male who voluntarily identifies himself as the parent of an unborn child by seeking services for teen parents and who has not yet graduated from secondary school as provided in Section 22-22 of this Code.

"Parent" means a person who is a custodial parent or a noncustodial parent taking an active role in the care and supervision of a child and who has not yet graduated from secondary school as provided in Section 22-22 of this Code, unless the context otherwise requires.

"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the Criminal Code of 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including sexual violence committed by perpetrators who are strangers to the victim and sexual violence committed by perpetrators who are known or related by blood or marriage to the victim.

"Student" means any youth enrolled, eligible to enroll, or previously enrolled in a school who has not yet graduated from secondary school as provided in Section 22-22 of this Code.

"Victim" means an individual who has been subjected to one or more acts of domestic or sexual violence.

"Youth", except as otherwise provided in this Code, means a child, student, or juvenile below the age of 21 years who has not yet completed his or her prescribed course of study or has not graduated from secondary school as provided in Section 22-22 of this Code. "Youth" includes, but is not limited to, unaccompanied youth not in the physical custody of a parent or guardian.

(b) The State Board of Education shall convene an Ensuring Success in School Task Force to develop policies, procedures, and protocols to be adopted by school districts for addressing the educational and related needs of children and youth who are parents, expectant parents, or victims of domestic or sexual violence to ensure their ability to stay in school, stay safe while in school, and successfully complete their education. The State Board of Education shall be the agency responsible for providing staff and administrative support to the task force.

(c) The Ensuring Success in School Task Force shall do all of the following:

(1) Conduct a thorough examination of the barriers to school attendance, safety, and completion for children and youth who are parents, expectant parents, or victims of domestic or sexual violence.

(2) Conduct a discovery process that includes relevant research and the identification of effective policies, protocols, and programs within this State and elsewhere.

(3) Conduct meetings and public hearings in geographically diverse locations throughout the State to ensure the maximum input from area advocates and service providers, from local education agencies, and from children and youth who are parents, expectant parents, or victims of domestic or sexual violence and their parents or guardians.

(4) Establish and adhere to procedures and protocols to allow children and youth who are parents, expectant parents, or victims of domestic or sexual violence, their parents or guardians, and advocates who work on behalf of such children and youth to participate in the task force anonymously and confidentially.

(5) Invite the testimony of and confer with experts on relevant topics.

(6) Produce a report of the task force's findings on best practices and policies, which shall include a plan with a phased and prioritized implementation timetable with focus on ensuring the successful and safe completion of school for children and youth who are parents, expectant parents, or victims of domestic or sexual violence. The task force shall submit a report to the General Assembly on or before January 1, 2009 on its findings, recommendations, and implementation plan. Any task force reports shall be published on the State Board of Education's Internet website on the date the report is delivered to the General Assembly.

(7) Recommend new legislation or proposed rules developed by the task force.

(d) The President of the Senate and the Speaker of the House of Representatives shall each appoint one co-chairperson of the Ensuring Success in School Task Force. In addition to the 2 co-chairpersons, the task force shall be comprised of each of the following members, appointed by the State Board of Education, and shall be representative of the geographic, racial, ethnic, and cultural diversity of this State:

(1) A representative of a statewide nonprofit, nongovernmental domestic violence organization.

(2) A domestic violence victims' advocate or service provider from a different nonprofit, nongovernmental domestic violence organization.

(3) A representative of a statewide nonprofit, nongovernmental sexual assault organization.

(4) A sexual assault victims' advocate or service provider from a different nonprofit, nongovernmental sexual assault organization.

(5) A teen parent advocate or service provider from a nonprofit, nongovernmental organization.

(6) A school social worker.

(7) A school psychologist.

(8) A school counselor.

(9) A representative of a statewide professional teachers' organization.

(10) A representative of a different statewide professional teachers' organization.

(11) A representative of a statewide organization that represents school boards.

(12) A representative of a statewide organization representing principals.

(13) A representative of City of Chicago School District 299.

(14) A representative of a nonprofit, nongovernmental youth services provider.

(15) A representative of a statewide nonprofit, nongovernmental multi-issue advocacy organization with expertise in a cross-section of relevant issues.

(16) An alternative education service provider.

(17) A representative from a regional office of education.

(18) A truancy intervention services provider.

(19) A youth who is a parent or expectant parent directly affected by the issues, problems, and concerns of staying in school and successfully completing his or her education through high school.

(20) A youth who is a victim of domestic or sexual violence directly affected by the issues, problems, and concerns of staying in school and successfully completing his or her education.

(21) A parent or guardian of a child or youth who is a parent or expectant parent directly affected by the issues, problems, and concerns of staying in school and successfully completing his or her education.

(22) A parent or guardian of a child or youth who is a victim of domestic or sexual violence directly affected by the issues, problems, and concerns of staying in school and successfully completing his or her education.

The task force shall also consist of the State Superintendent of Education, the Secretary of Human Services, the Director of Healthcare and Family Services, the Director of Children and Family Services, and the Director of Public Health or their designees.

(e) Members of the Ensuring Success in School Task Force shall receive no compensation for their participation, but may be reimbursed by the State Board of Education for expenses in connection with their participation, including travel, if funds are available. However, members of the task force who are youth who are parents, expectant parents, or victims of domestic or sexual violence and the parents or guardians of such youth shall be reimbursed for their travel expenses connected to their participation in the task force.

(105 ILCS 5/10-22.39) (from Ch. 122, par. 10-22.39)

Sec. 10-22.39. In-service training programs.

(a) To conduct in-service training programs for teachers.

(b) In addition to other topics at in-service training ~~such~~ programs, school guidance counselors, teachers and other school personnel who work with pupils in grades 7 through 12 shall be trained to

identify the warning signs of suicidal behavior in adolescents and teens and shall be taught appropriate intervention and referral techniques.

(c) School guidance counselors, nurses, teachers and other school personnel who work with pupils may be trained to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral, and any other information that may be appropriate considering the age and grade level of such pupils. The School Board shall supervise such training. The State Board of Education and the Department of Public Health shall jointly develop standards for such training.

(d) In this subsection (d):

"Domestic violence" means abuse by a family or household member, as "abuse" and "family or household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Expectant parent" means a female who is pregnant or a male who voluntarily identifies himself as the parent of an unborn child by seeking services for teen parents and who has not yet graduated from secondary school as provided in Section 22-22 of this Code.

"Parent" means a person who is a custodial parent or a noncustodial parent taking an active role in the care and supervision of a child and who has not yet graduated from secondary school as provided in Section 22-22 of this Code, unless the context otherwise requires.

"Perpetrator" means an individual who commits or is alleged to have committed any act of domestic or sexual violence.

"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the Criminal Code of 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including sexual violence committed by perpetrators who are strangers to the victim and sexual violence committed by perpetrators who are known or related by blood or marriage to the victim.

"Student" or "pupil" means any youth enrolled, eligible to enroll, or previously enrolled in a school who has not yet graduated from secondary school as provided in Section 22-22 of this Code.

"Victim" means an individual who has been subjected to one or more acts of domestic or sexual violence.

"Youth", except as otherwise provided in this Code, means a child, student, or juvenile below the age of 21 years who has not yet completed his or her prescribed course of study or has not graduated from secondary school as provided in Section 22-22 of this Code. "Youth" includes, but is not limited to, unaccompanied youth not in the physical custody of a parent or guardian.

At least once every 2 years, an in-service training program for school personnel who work with pupils, including, but not limited to, school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, and school nurses, must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth and shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality. At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.

(Source: P.A. 86-900.)

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

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

On motion of Senator Munoz, **House Bill No. 1100** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **House Bill No. 1363** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 1460** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Ronen, **House Bill No. 1509** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pankau, **House Bill No. 1535** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 1539** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 1637** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 1638** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, **House Bill No. 1647** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1647**

AMENDMENT NO. 1. Amend House Bill 1647 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois School Student Records Act is amended by changing Sections 2 and 5 and by adding Section 5.5 as follows:

(105 ILCS 10/2) (from Ch. 122, par. 50-2)

Sec. 2. As used in this Act,

(a) "Student" means any person enrolled or previously enrolled in a school.

(b) "School" means any public preschool, day care center, kindergarten, nursery, elementary or secondary educational institution, vocational school, special educational facility or any other elementary or secondary educational agency or institution and any person, agency or institution which maintains school student records from more than one school, but does not include a private or non-public school.

(c) "State Board" means the State Board of Education.

(d) "School Student Record" means any writing or other recorded information concerning a student and by which a student may be individually identified, maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. The following shall not be deemed school student records under this Act: writings or other recorded information maintained by an employee of a school or other person at the direction of a school for his or her exclusive use; provided that all such writings and other recorded information are destroyed not later than the student's graduation or permanent withdrawal from the school; and provided further that no such records or recorded information may be released or disclosed to any person except a person designated by the school as a substitute unless they are first incorporated in a school student record and made subject to all of the provisions of this Act. Except as otherwise provided in this Act, school ~~School~~ student records shall not include a confidential communication or information maintained by law enforcement professionals working in the school.

(e) "Student Permanent Record" means the minimum personal information necessary to a school in the education of the student and contained in a school student record. Such information may include the student's name, birth date, address, grades and grade level, parents' names and addresses, attendance records, and such other entries as the State Board may require or authorize.

(f) "Student Temporary Record" means all information contained in a school student record but not contained in the student permanent record. Such information may include family background information, intelligence test scores, aptitude test scores, psychological and personality test results, teacher evaluations, and other information of clear relevance to the education of the student, all subject to regulations of the State Board. The information shall include information provided under Section 8.6 of the Abused and Neglected Child Reporting Act. In addition, the student temporary record shall include information regarding serious disciplinary infractions that resulted in expulsion, suspension, or the imposition of punishment or sanction. For purposes of this provision, serious disciplinary infractions means: infractions involving drugs, weapons, or bodily harm to another.

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(g) "Parent" means a person who is the natural parent of the student or other person who has the primary responsibility for the care and upbringing of the student. All rights and privileges accorded to a parent under this Act shall become exclusively those of the student upon his 18th birthday, graduation from secondary school, marriage or entry into military service, whichever occurs first. Such rights and privileges may also be exercised by the student at any time with respect to the student's permanent school record.

(h) "Confidential Communication" means the following:

(1) a communication otherwise protected by law as privileged or confidential, including, but not limited to, information communicated in confidence to a physician, psychologist, or other psychotherapist;

(2) information communicated by a student or by a parent or guardian of a student in confidence to a school social worker, a school counselor, a school psychologist, or an intern working under the direct supervision of a school social worker, school counselor, or school psychologist or to other school personnel;

(3) information communicated by a student or by a parent or guardian of a student to a law enforcement professional working in the school, except as provided by court order; or

(4) information communicated to a school social worker, school psychologist, or school counselor or to an intern under the direct supervision of a school social worker, school psychologist, or school counselor that is so personal or sensitive in nature that it is presumed to have been given in confidence because its disclosure may clearly put the student at imminent risk of serious physical or emotional harm.

(Source: P.A. 92-295, eff. 1-1-02.)

(105 ILCS 10/5) (from Ch. 122, par. 50-5)

Sec. 5. (a) A parent or any person specifically designated as a representative by a parent shall have the right to inspect and copy all school student permanent and temporary records of that parent's child. A student shall have the right to inspect and copy his or her school student permanent record. No person who is prohibited by an order of protection from inspecting or obtaining school records of a student pursuant to the Illinois Domestic Violence Act of 1986, as now or hereafter amended, shall have any right of access to, or inspection of, the school records of that student. If a school's principal or person with like responsibilities or his designee has knowledge of such order of protection, the school shall prohibit access or inspection of the student's school records by such person.

(b) Whenever access to any person is granted pursuant to paragraph (a) of this Section, at the option of either the parent or the school a qualified professional, who may be a psychologist, counsellor or other advisor, and who may be an employee of the school or employed by the parent, may be present to interpret the information contained in the student temporary record. If the school requires that a professional be present, the school shall secure and bear any cost of the presence of the professional. If the parent so requests, the school shall secure and bear any cost of the presence of a professional employed by the school.

(c) A parent's or student's request to inspect and copy records, or to allow a specifically designated representative to inspect and copy records, must be granted within a reasonable time, and in no case later than 15 school days after the date of receipt of such request by the official records custodian.

(d) The school may charge its reasonable costs for the copying of school student records, not to exceed the amounts fixed in schedules adopted by the State Board, to any person permitted to copy such records, except that no parent or student shall be denied a copy of school student records as permitted under this Section 5 for inability to bear the cost of such copying.

(e) Nothing contained in this Section 5 shall make available to a parent or student confidential letters and statements of recommendation furnished in connection with applications for employment to a post-secondary educational institution or the receipt of an honor or honorary recognition, provided such letters and statements are not used for purposes other than those for which they were specifically intended, and

(1) were placed in a school student record prior to January 1, 1975; or

(2) the student has waived access thereto after being advised of his right to obtain upon request the names of all such persons making such confidential recommendations.

~~(f) (Blank). Nothing contained in this Act shall be construed to impair or limit the confidentiality of:~~

~~(1) Communications otherwise protected by law as privileged or confidential, including but not limited to, information communicated in confidence to a physician, psychologist or other psychotherapist; or~~

~~(2) Information which is communicated by a student or parent in confidence to school personnel; or~~

~~(3) Information which is communicated by a student, parent, or guardian to a law enforcement~~

~~professional working in the school, except as provided by court order.~~

(Source: P.A. 90-590, eff. 1-1-00.)

(105 ILCS 10/5.5 new)

Sec. 5.5. Confidentiality.

(a) A confidential communication made by a student 12 years of age or older or by a parent or a guardian of a student who is 12 years of age or older must not be disclosed without the voluntary written consent of the person who originally disclosed the information. A confidential communication made by a student under the age of 12 years may be disclosed to the parent or guardian of the student. The consent shall state the scope of the permissible disclosure and must be signed by the person granting the consent, dated, and witnessed. A confidential communication must not become part of the school student record without the express written consent of the person who originally disclosed the information or, in the case of a student under the age of 12 years, by express written consent of the parent or guardian of the student.

(b) A confidential communication may be disclosed without voluntary written consent, notwithstanding subsection (a) of this Section, only as follows:

(1) In discussion with a therapist, a health care provider, or school service personnel for the sole purpose of and to the extent necessary for referring the student for treatment or services.

(2) In accordance with the provisions of the Abused and Neglected Child Reporting Act.

(3) When disclosure is necessary to avert a clear imminent risk of serious physical or mental injury, disease, or death upon the person who originally disclosed the information, upon other persons in the school community (including administrators, teachers, other school personnel, parents, and students), or upon other persons, information may be disclosed to law enforcement officials, the school administration, an individual who is in imminent danger, or, if the individual who is in imminent danger is a minor, to the parent or guardian of that individual.

(4) When directed by a court order to testify in a court of law or administrative hearing about a confidential communication.

(c) Any person participating in good faith in the making of a report under the Abused and Neglected Child Reporting Act or in the disclosure of information contained in a confidential communication under this Act shall have immunity from liability, civil, criminal, or otherwise, that might result by reason of such action, except in cases of willful or wanton misconduct. For the purpose of any proceeding, civil or criminal, arising out of a disclosure of information, the good faith of a person making such a disclosure shall be presumed.

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly."

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

On motion of Senator Demuzio, **House Bill No. 1651** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 1708** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 1743** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 1744** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Ronen, **House Bill No. 1758** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 1775** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Demuzio, **House Bill No. 1832** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 1833** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 1839** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 1847** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 1877** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 1910** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 1922** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeLeo, **House Bill No. 1947** having been printed, was taken up and 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 HOUSE BILL 1947**

AMENDMENT NO. 1. Amend House Bill 1947 on page 2, line 13, after "boxing", by inserting "that is approved by the Department".

Senate Committee Amendment No. 2 was held in the Committee on Licensed Activities.

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

**AMENDMENT NO. 3 TO HOUSE BILL 1947**

AMENDMENT NO. 3. Amend House Bill 1947 on page 1, line 6, after "16," by inserting "17.9,"; and

by replacing line 6 on page 17 through line 6 on page 18 with the following:

"(225 ILCS 105/13) (from Ch. 111, par. 5013)

(Section scheduled to be repealed on January 1, 2012)

Sec. 13. Tickets; tax. Tickets to ~~boxing contests, other than a boxing contest conducted at premises with an indoor seating capacity of more than 17,000,~~ shall be printed in such form as the Department shall prescribe. A certified inventory of all tickets printed for any ~~boxing~~ contest shall be mailed to the Department by the promoter not less than 7 days before the ~~boxing~~ contest. The total number of tickets printed shall not exceed the total seating capacity of the premises in which the ~~boxing~~ contest is to be held. No tickets of admission to any ~~boxing~~ contest, ~~other than a boxing contest conducted at premises with an indoor seating capacity of more than 17,000,~~ shall be sold except those declared on an official ticket inventory as described in this Section.

A promoter may not issue complimentary tickets for more than 4% of the tickets sold without the Department's written authorization or issue any other ticket unless provided for by rule. The promoter shall be responsible to pay the tax provided for in this Section for all complimentary tickets over and above the 4% maximum cap on complimentary tickets. Each complimentary ticket must indicate on the ticket the value of the ticket had it actually been purchased and that it is a complimentary ticket.

~~A promoter who conducts a boxing contest under this Act, other than a boxing contest conducted at premises with an indoor seating capacity of more than 17,000, shall, within 24 hours after a boxing contest: (1) furnish to the Department a written report verified by the promoter or his authorized designee showing the number of tickets sold for the boxing contest or the actual ticket stubs of tickets sold and the amount of the gross proceeds thereof; and (2) pay to the Department a tax of 3% 40% of the~~

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first \$500,000 of gross receipts from the sale of admission tickets, to be placed in the General Revenue Fund.

(Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.); and

on page 23, immediately below line 14, by inserting the following:

"(225 ILCS 105/17.9)

(Section scheduled to be repealed on January 1, 2012)

Sec. 17.9. Summary suspension of a license. The Director may summarily suspend a license without a hearing if the Director finds that evidence in the Director's possession indicates that the continuation of practice would constitute an imminent danger to the public, participants, including any contest officials, or the individual involved or cause harm to the profession. If the Director summarily suspends the license without a hearing, a hearing must be commenced within 30 days after the suspension has occurred and concluded as expeditiously as practical.

(Source: P.A. 91-408, eff. 1-1-00; 92-499, eff. 1-1-02.)."

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

On motion of Senator Bomke, **House Bill No. 1969** having been printed, was taken up and read by title a second time.

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

#### **AMENDMENT NO. 1 TO HOUSE BILL 1969**

AMENDMENT NO. 1. Amend House Bill 1969 on page 24, immediately below line 11, by inserting the following:

"(p-30) In addition to all other authority to issue bonds, Prairie Grove Consolidated School District 46 may issue bonds with an aggregate principal amount not to exceed \$30,000,000, but only if all of the following conditions are met:

(i) The voters of the district approve a proposition for the bond issuance at an election held in 2008.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the building and equipping of a new school building and additions to existing school buildings are required as a result of a projected increase in the enrollment of students in the district and (B) the altering, repairing, and equipping of existing school buildings are required because of the age of the existing school buildings.

(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2012; however, the aggregate principal amount issued in all such bond issuances combined must not exceed \$30,000,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held in 2008.

The debt incurred on any bonds issued under this subsection (p-30) shall not be considered indebtedness for purposes of any statutory debt limitation."

Senate Committee Amendment No. 2 was tabled in the Committee on Education.

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

#### **AMENDMENT NO. 3 TO HOUSE BILL 1969**

AMENDMENT NO. 3. Amend House Bill 1969, AS AMENDED, in Section 5, Sec. 19-1, immediately below subsec. (p-30), by inserting the following:

"(p-35) In addition to all other authority to issue bonds, Prairie Hill Community Consolidated School District 133 may issue bonds with an aggregate principal amount not to exceed \$13,900,000, but only if all of the following conditions are met:

(i) The voters of the district approved a proposition for the bond issuance at an election held on April 17, 2007.

(ii) At the time of the sale of the bonds, the school board determines, by resolution, that (A) the improvement of the site of and the building and equipping of a school building are required as a result of a projected increase in the enrollment of students in the district and (B) the repairing and equipping of the Prairie Hill Elementary School building is required because of the age of that school building.

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(iii) The bonds are issued, in one or more bond issuances, on or before December 31, 2011, but the aggregate principal amount issued in all such bond issuances combined must not exceed \$13,900,000.

(iv) The bonds are issued in accordance with this Article.

(v) The proceeds of the bonds are used to accomplish only those projects approved by the voters at an election held on April 17, 2007.

The debt incurred on any bonds issued under this subsection (p-35) shall not be considered indebtedness for purposes of any statutory debt limitation."

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

On motion of Senator Bomke, **House Bill No. 2023** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Demuzio, **House Bill No. 2194** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeLeo, **House Bill No. 2304** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 2304**

AMENDMENT NO. 1. Amend House Bill 2304 by replacing everything after the enacting clause with the following:

"Section 5. The Director of Central Management Services is authorized to convey by Quit Claim Deed for \$1 to the City of Chicago or the Chicago Park District the following described real property: surplus property located within the area bordered by Oak Park Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois; provided, however, that should the property fail to be used for any public purpose within the first 10 years after the effective date of this amendatory Act of the 95th General Assembly or fail to be used at any time by the Grantee for public purposes, then title shall revert to the State of Illinois.

Section 10. "An Act in relation to certain land", approved June 13, 2000, Public Act 91-824, is amended by changing Section 20-10 as follows:

(P.A. 91-824, Sec. 20-10)

Sec. 20-10. The Director of Central Management Services is authorized to:

(a) convey by quit claim deed for \$1 buildings A & B of the former Henry Horner School property located on Oak Park Ave, Chicago, Illinois to Maryville Academy, provided however that should the property fail to be used by Maryville Academy for charitable or educational purposes, the title shall revert to the State of Illinois;

(b) convey by quit claim deed for \$1 upon identification and survey of a site mutually agreeable to the parties to New Horizon Center for the Developmentally Disabled, provided that should the property fail to be used by New Horizon Center for the Developmentally Disabled for charitable or educational purposes, title shall revert to the State of Illinois;

(c) convey by Quit Claim Deed for \$1 to the City of Chicago or the Chicago Park District the following described

real property:

A PARCEL OF LAND, APPROXIMATELY 16,000 SQUARE FEET ON AND ALONG THE NORTH SIDE OF WEST

IRVING PARK ROAD, HAVING APPROXIMATELY 135 FEET OF FRONTAGE ON SAID WEST IRVING PARK ROAD AND A DEPTH OF APPROXIMATELY 125 FEET, HAVING ITS EASTERLY BOUNDARY PARALLEL TO AND APPROXIMATELY 1,111 FEET WEST OF THE WEST PROPERTY LINE OF NORTH NARRAGANSETT AVENUE, AND ITS WESTERLY BOUNDARY BEING PARALLEL TO AND 135 FEET WEST OF THE EASTERLY BOUNDARY LINE, ALL IN THE COUNTY OF COOK AND STATE OF ILLINOIS.

Provided however, should the property fail to be used by the Grantee for public purposes, title shall revert to the State of Illinois;

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(d) take steps to preserve, landscape, memorialize and protect unmarked historic cemetery grounds located by archeological survey on the grounds of Chicago Read Mental Health Center. This subsection shall also allow the relocation of the remains pursuant to regulations and procedures established by the Historic Preservation Agency when deemed necessary by the Director of Central Management Services. For the purpose of the relocation of such remains, the Secretary of Human Services is designated next of kin when it is not possible to definitively establish the identity of any such remains;

~~(e) (the General Assembly finds and declares that the authorization under this subsection (e) as originally enacted by Public Act 91-824 was never acted upon; and, therefore, the provisions of that originally enacted subsection (e) are rescinded by this amendatory Act of the 95th General Assembly) in order to facilitate the conveyances referenced in subsections (a) and (b) after consultation with the Secretary of Transportation, the Secretary of Human Services, and the Director of Commerce and Community Affairs and upon obtaining necessary appraisals, surveys, and environmental reports, and in accordance with and in coordination with any pre-existing redevelopment agreement, convey title by quit claim deed to Chicago Read Joint Venture, Limited Partnership to surplus property located within the area bordered by Harlem Avenue, West Irving Park Road, North Narragansett Avenue, West Montrose Avenue, and Forest Preserve Drive, Chicago, Illinois, but excluding the area comprised of the property of the former Henry Horner School and the property referred to as the "Phase Three Property" under the Chicago Read Dunning Redevelopment Agreement, at fair market value and on such terms and conditions necessary to bring about the orderly redevelopment of such surplus property, provided however that "surplus property" as described in this Section shall not include buildings and grounds currently under the jurisdiction of the Department of Human Services unless specifically consented to by the Secretary of Human Services; and~~

(f) accept replacement State facilities constructed in order to relocate State operations located in facilities to be replaced or otherwise transferred to coordinate with necessary redevelopment.

(Source: P.A. 91-824, eff. 1-1-01.)

Section 15. The Director of Central Management Services shall obtain a certified copy of this Act within 60 days after its effective date, and shall record the certified document in the Recorder's Office in the county in which the land is located.

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

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

On motion of Senator Silverstein, **House Bill No. 2786** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 2787** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 3091** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 3132** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 3463** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **House Bill No. 3487** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Forby, **House Bill No. 3504** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 3614** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 3614**

AMENDMENT NO. 1. Amend House Bill 3614 as follows:

on page 1, line 5, by replacing "3.04 and 4.01" with "3.04, 4.01, and 4.04"; and

on page 7, immediately after line 17, by inserting the following:

"(510 ILCS 70/4.04) (from Ch. 8, par. 704.04)

Sec. 4.04. Injuring or killing police animals, service animals, or search and rescue dogs prohibited. It shall be unlawful for any person to willfully or maliciously torture, mutilate, injure, disable, poison, or kill (i) any animal used by a law enforcement department or agency in the performance of the functions or duties of the department or agency or when placed in confinement off duty, (ii) any service animal, (iii) any search and rescue dog, or (iv) any law enforcement, service, or search and rescue animal in training. However, a police officer or veterinarian may perform euthanasia in emergency situations when delay would cause the animal undue suffering and pain.

A person convicted of violating this Section is guilty of a Class 4 felony ~~A misdemeanor~~ if the animal is not killed or totally disabled; if the animal is killed or totally disabled, the person is guilty of a Class 3 ~~Class 4~~ felony.

(Source: P.A. 91-357, eff. 7-29-99; 92-454, eff. 1-1-02; 92-650, eff. 7-11-02; incorporates 92-723, eff. 1-1-03; revised 10-3-02.)"

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

On motion of Senator Silverstein, **House Bill No. 3624** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 3638** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 3654** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 3654**

AMENDMENT NO. 1. Amend House Bill 3654 on page 11, line 2, after "expenses", by inserting ", such as transportation, tutoring, technology, and technology support.".

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

On motion of Senator Althoff, **House Bill No. 3678** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 12** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 156** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeLeo, **House Bill No. 161** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 174** having been printed, was taken up and read by title a second time.

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

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**AMENDMENT NO. 1 TO HOUSE BILL 174**

AMENDMENT NO. 1. Amend House Bill 174 on page 2, by replacing lines 2 through 5 with the following:

"(d) Any person who, in order to acquire a targeted methamphetamine precursor, knowingly uses or provides the driver's license or government-issued identification of another person, or who knowingly uses or provides a fictitious or unlawfully altered driver's license or government-issued identification, or who otherwise knowingly provides false information, is guilty of a Class 4 felony for a first offense, a Class 3 felony for a second offense, and a Class 2 felony for a third or subsequent offense.

For purposes of this subsection (d), the terms "fictitious driver's license", "unlawfully altered driver's license", and "false information" have the meanings ascribed to them in Section 6-301.1 of the Illinois Vehicle Code."

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

On motion of Senator Hultgren, **House Bill No. 194** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 226** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 449** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 536** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 553** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Brady, **House Bill No. 572** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martinez, **House Bill No. 619** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 619**

AMENDMENT NO. 1. Amend House Bill 619 on page 2, by replacing line 17 with the following:

"was not withheld or paid over by the payor. Only where the employer has incurred sums due under this Section and is unable to pay such amounts may personal liability attach to a responsible officer or employee who has willfully failed to withhold and pay over income as required under the income withholding notice. The personal"

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

On motion of Senator Haine, **House Bill No. 642** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Garrett, **House Bill No. 680** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 742** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, **House Bill No. 792** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Althoff, **House Bill No. 820** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 820**

AMENDMENT NO. 1. Amend House Bill 820 by replacing everything after the enacting clause with the following:

"Section 5. The Carnival and Amusement Rides Safety Act is amended by changing Sections 2-2 and 2-6 and by adding Section 2-20 as follows:

(430 ILCS 85/2-2) (from Ch. 111 1/2, par. 4052)

Sec. 2-2. Definitions. As used in this Act, unless the context otherwise requires:

1. "Director" means the Director of Labor or his or her designee.
2. "Department" means Department of Labor.
3. "Amusement Attraction" means an enclosed building or structure, including electrical equipment which is an integral part of the building or structure, through which people walk without the aid of any moving device, that provides amusement, thrills or excitement at a fair or carnival, except any such enclosed building or structure which is subject to the jurisdiction of a local building code.

4. "Amusement ride" means:

(a) any mechanized device or combination of devices, including electrical equipment which is an integral part of the device or devices, which carries passengers along, around, or over a fixed or restricted course for the primary purpose of giving its passengers amusement, pleasure, thrills, or excitement;

(b) any ski lift, rope tow, or other device used to transport snow skiers;

(c) (blank);

(d) any dry slide over 20 feet in height, alpine slide, or toboggan slide;

(e) any tram, open car, or combination of open cars or wagons pulled by a tractor or other motorized device which is not licensed by the Secretary of State, which may, but does not necessarily follow a fixed or restricted course, and is used primarily for the purpose of giving its passengers amusement, pleasure, thrills or excitement, and for which an individual fee is charged or a donation accepted with the exception of hayrack rides; or

(f) any bungee cord or similar elastic device.

5. "Carnival" means an enterprise which offers amusement or entertainment to the public by means of one or more amusement attractions or amusement rides.

6. "Fair" means an enterprise principally devoted to the exhibition of products of agriculture or industry in connection with which amusement rides or amusement attractions are operated.

7. "Operator" means a person, or the agent of a person, who owns or controls or has the duty to control the operation of an amusement ride or an amusement attraction at a carnival or fair. "Operator" includes an agency of the State or any of its political subdivisions.

8. "Carnival worker" means a person who is employed by a carnival to physically operate an amusement ride or amusement attraction when it is open to the public and who is not a volunteer.

(Source: P.A. 94-801, eff. 5-25-06.)

(430 ILCS 85/2-6) (from Ch. 111 1/2, par. 4056)

Sec. 2-6. The Director, with the consent of the Board, shall promulgate and formulate definitions, rules and regulations for the safe installation, repair, maintenance, use, operation, training standards for operators, and inspection of all amusement rides and amusement attractions as the Director finds necessary for the protection of the general public using amusement rides and amusement attractions. The rules shall be based upon generally accepted engineering standards and shall be concerned with, but not necessarily limited to, engineering force stresses, safety devices, and preventive maintenance. Whenever such standards are available in suitable form they may be incorporated by reference. The rules shall provide for the reporting of accidents and injuries incurred from the operation of amusement rides or amusement attractions. In addition to the permit fee herein provided, the Director may promulgate rules to establish a schedule of fees for inspections.

Before adopting, modifying or amending any rule consistent with and necessary for the enforcement of this Act, the Director shall hold a public hearing on the proposed rule, modification or amendment to a rule. Any interested person may appear and be heard at the hearing, in person or by agent or counsel. The Director shall give the news media notice of each hearing at least 30 days in advance of the hearing date and shall make available a copy of the proposed rule, or modification or amendment to a rule to any

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person requesting same. The provisions of this Section are in addition to all other existing requirements pertaining to the promulgation of administrative rules and regulations.

(Source: P.A. 94-801, eff. 5-25-06.)

(430 ILCS 85/2-20 new)

Sec. 2-20. Employment of carnival workers.

(a) Beginning on January 1, 2008, no person, firm, corporation, or other entity that owns or operates a carnival shall employ a carnival worker who (i) has been convicted of any offense set forth in Article 11 of the Criminal Code of 1961, (ii) is a registered sex offender, as defined in the Sex Offender Registration Act, or (iii) has ever been convicted of any offense set forth in Article 9 of the Criminal Code of 1961.

Any person, firm, corporation, or other entity that owns or operates a carnival and knowingly violates the provisions of this subsection (a) shall be assessed a civil penalty in an amount not less than \$1,000 and not more than \$5,000 for a first offense, and not less than \$5,000 and not more than \$10,000 for a second or subsequent offense.

(b) In the interest of compliance with the requirements of this Section, a person, firm, corporation, or other entity that owns or operates a carnival must conduct a criminal history records check for each carnival worker in its employ consistent with the Illinois Uniform Conviction Information Act and perform a check of the Sex Offender Registry maintained by the Department of State Police for each carnival worker in its employ.

In the case of carnival workers who are hired on a temporary basis to work at a specific event, the carnival owner may work with local enforcement agencies in order expedite the criminal history records check required under this subsection (b).

Individuals who are under the age of 17 are exempt from the criminal history records check requirements set forth in this subsection (b).

(c) Any person, firm, corporation, or other entity that owns or operates a carnival must have a substance abuse policy in place for its workers, which shall include random drug testing of carnival workers.

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

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

On motion of Senator Millner, **House Bill No. 840** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 855** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Noland, **House Bill No. 876** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **House Bill No. 900** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **House Bill No. 962** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **House Bill No. 977** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 977**

AMENDMENT NO. 1. Amend House Bill 977 on page 1, by replacing line 16 with the following:

"without his consent; or".

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

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On motion of Senator Millner, **House Bill No. 991** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **House Bill No. 1080** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 1116** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1116**

AMENDMENT NO. 1. Amend House Bill 1116 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by adding Section 3-611.5 as follows:  
(625 ILCS 5/3-611.5 new)

Sec. 3-611.5. Fire Chief license plates.

(a) The Secretary, upon receipt of a request from a municipality or fire protection district that operates a fire department, accompanied by an application and the appropriate fee, may issue, to a fire chief of each municipal fire department or fire protection district, special registration plates designated as Fire Chief license plates. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division or motor vehicles of the second division weighing not more than 8,000 pounds, owned by the fire department or the chief officer of the fire department. Plates issued under this Section shall expire according to the multi-year procedure established by Section 3-414.1 of this Code.

(b) The design and color of the special plates shall be wholly within the discretion of the Secretary. The plates are not required to designate "Land of Lincoln" as prescribed in subsection (b) of Section 3-412 of this Code. The Secretary may prescribe rules governing the requirements and approval of the special plates. The fee for this plate shall be the same as the fee prescribed for first division vehicles in Section 3-806 of this Code."

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

On motion of Senator J. Jones, **House Bill No. 1236** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 1254** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 1256** having been printed, was taken up and 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 HOUSE BILL 1256**

AMENDMENT NO. 1. Amend House Bill 1256 on page 7, by replacing lines 8 through 16 with the following:

"11, the Department shall, subject to federal approval:

(a) set the income eligibility standard at not lower than 350% of the federal poverty level;

(b) exempt retirement accounts that the person cannot access without penalty before the age of 59 1/2, and medical savings accounts established pursuant to 26 U.S.C. 220;

(c) allow non-exempt assets up to \$25,000 as to those assets accumulated during periods of eligibility under this paragraph 11; and

(d) continue to apply subparagraphs (b) and (c) in determining the eligibility of the person under this Article even if the person loses eligibility under this paragraph 11."

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

On motion of Senator Delgado, **House Bill No. 1259** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sandoval, **House Bill No. 1279** having been printed, was taken up and 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 HOUSE BILL 1279**

AMENDMENT NO. 1. Amend House Bill 1279 on page 2, line 12, by replacing "or (ii)" with "(ii)"; and

on page 2, line 15, after "Act", by inserting ", or (iii) any facility owned or operated by a forest preserve district organized under the Downstate Forest Preserve District Act or the Cook County Forest Preserve District Act or a conservation district organized under the Conservation District Act".

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

On motion of Senator Cullerton, **House Bill No. 1359** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **House Bill No. 1475** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **House Bill No. 1499** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1499**

AMENDMENT NO. 1. Amend House Bill 1499, on page 1, by replacing lines 7 through 18 with the following:

"Sec. 11-1426. Operation of all-terrain vehicles and off-highway motorcycles on streets, roads and highways.

(a) Except as provided under this Section, it shall be unlawful for any person to drive or operate any all-terrain vehicle or off-highway motorcycle upon any street, highway or roadway in this State.

(a-1) It shall not be unlawful for any person to drive or operate any all-terrain vehicle upon any county roadway or township roadway for the purpose of conducting farming operations to and from the home, farm, farm buildings, and any adjacent or nearby farm land. An all-terrain vehicle that is operated on a county or township roadway at any time between one-half hour before sunset and one-half hour after sunrise must be equipped with head lamps and tail lamps, and the head lamps and tail lamps must be lighted."

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

On motion of Senator Cullerton, **House Bill No. 1517** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 1553** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 1557** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Schoenberg, **House Bill No. 1628** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Munoz, **House Bill No. 1641** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Pankau, **House Bill No. 1643** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cronin, **House Bill No. 1666** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeLeo, **House Bill No. 1671** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **House Bill No. 1711** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 1717** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1717**

AMENDMENT NO. 1. Amend House Bill 1717 on page 7, by replacing lines 2 and 3 with the following:

"(19) Knows the individual assaulted to be a person who is a severely or profoundly mentally".

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

On motion of Senator Harmon, **House Bill No. 1719** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Crotty, **House Bill No. 1872** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 1911** having been printed, was taken up and read by title a second time.

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

**AMENDMENT NO. 1 TO HOUSE BILL 1911**

AMENDMENT NO. 1. Amend House Bill 1911 on page 5, by replacing lines 3 through 14 with the following:

"(B) Whenever the Director is of the opinion that imminent danger exists in the working conditions of any public employee in this State, which condition may reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures otherwise provided by this Act and the Health and Safety Act, the Director may file a complaint in the circuit court for appropriate relief ~~against an employer and employee~~, including an order that may require such steps to be taken as may be necessary to abate, avoid, correct, or remove the imminent danger and prohibit the employment or presence of any individual in locations or under conditions where such imminent danger exists, except those individuals whose presence is necessary to abate, avoid, correct, or remove the imminent danger or to maintain the capacity of a continuous process operation to assume normal operations without a complete cessation of operations, or where a cessation of operations is necessary to permit the cessation to be accomplished in a safe and orderly manner directing the employer or employee to cease and desist from the practice creating the imminent danger and to obtain immediate abatement of the hazard."; and

on page 34, line 11, by replacing "via" with "in"; and

on page 42, by replacing lines 8 through 21 with the following:

"(b) If at any time the Occupational Safety and Health Administration Hazard Communication standard at 29 CFR 1910.1200 is repealed or revoked, the Director of Labor shall adopt a rule setting

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forth a determination that this Act should be reviewed and reinstated in order to protect the health and safety of Illinois' public sector workers. On the date such a rule is adopted, this Act shall again become operative."

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

On motion of Senator Demuzio, **House Bill No. 1919** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 1923** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bomke, **House Bill No. 1960** having been printed, was taken up and 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 HOUSE BILL 1960**

AMENDMENT NO. 1. Amend House Bill 1960 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 14-104 and by adding Section 14-152.2 as follows:

(40 ILCS 5/14-104) (from Ch. 108 1/2, par. 14-104)

Sec. 14-104. Service for which contributions permitted. Contributions provided for in this Section shall cover the period of service granted. Except as otherwise provided in this Section, the contributions shall be based upon the employee's compensation and contribution rate in effect on the date he last became a member of the System; provided that for all employment prior to January 1, 1969 the contribution rate shall be that in effect for a noncovered employee on the date he last became a member of the System. Except as otherwise provided in this Section, contributions permitted under this Section shall include regular interest from the date an employee last became a member of the System to the date of payment.

These contributions must be paid in full before retirement either in a lump sum or in installment payments in accordance with such rules as may be adopted by the board.

(a) Any member may make contributions as required in this Section for any period of service, subsequent to the date of establishment, but prior to the date of membership.

(b) Any employee who had been previously excluded from membership because of age at entry and subsequently became eligible may elect to make contributions as required in this Section for the period of service during which he was ineligible.

(c) An employee of the Department of Insurance who, after January 1, 1944 but prior to becoming eligible for membership, received salary from funds of insurance companies in the process of rehabilitation, liquidation, conservation or dissolution, may elect to make contributions as required in this Section for such service.

(d) Any employee who rendered service in a State office to which he was elected, or rendered service in the elective office of Clerk of the Appellate Court prior to the date he became a member, may make contributions for such service as required in this Section. Any member who served by appointment of the Governor under the Civil Administrative Code of Illinois and did not participate in this System may make contributions as required in this Section for such service.

(e) Any person employed by the United States government or any instrumentality or agency thereof from January 1, 1942 through November 15, 1946 as the result of a transfer from State service by executive order of the President of the United States shall be entitled to prior service credit covering the period from January 1, 1942 through December 31, 1943 as provided for in this Article and to membership service credit for the period from January 1, 1944 through November 15, 1946 by making the contributions required in this Section. A person so employed on January 1, 1944 but whose employment began after January 1, 1942 may qualify for prior service and membership service credit under the same conditions.

(f) An employee of the Department of Labor of the State of Illinois who performed services for and under the supervision of that Department prior to January 1, 1944 but who was compensated for those services directly by federal funds and not by a warrant of the Auditor of Public Accounts paid by the

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State Treasurer may establish credit for such employment by making the contributions required in this Section. An employee of the Department of Agriculture of the State of Illinois, who performed services for and under the supervision of that Department prior to June 1, 1963, but was compensated for those services directly by federal funds and not paid by a warrant of the Auditor of Public Accounts paid by the State Treasurer, and who did not contribute to any other public employee retirement system for such service, may establish credit for such employment by making the contributions required in this Section.

(g) Any employee who executed a waiver of membership within 60 days prior to January 1, 1944 may, at any time while in the service of a department, file with the board a rescission of such waiver. Upon making the contributions required by this Section, the member shall be granted the creditable service that would have been received if the waiver had not been executed.

(h) Until May 1, 1990, an employee who was employed on a full-time basis by a regional planning commission for at least 5 continuous years may establish creditable service for such employment by making the contributions required under this Section, provided that any credits earned by the employee in the commission's retirement plan have been terminated.

(i) Any person who rendered full time contractual services to the General Assembly as a member of a legislative staff may establish service credit for up to 8 years of such services by making the contributions required under this Section, provided that application therefor is made not later than July 1, 1991.

(j) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, but with all of the interest calculated from the date the employee last became a member of the System or November 19, 1991, whichever is later, to the date of payment, an employee may establish service credit for a period of up to 2 years spent in active military service for which he does not qualify for credit under Section 14-105, provided that (1) he was not dishonorably discharged from such military service, and (2) the amount of service credit established by a member under this subsection (j), when added to the amount of military service credit granted to the member under subsection (b) of Section 14-105, shall not exceed 5 years. The change in the manner of calculating interest under this subsection (j) made by this amendatory Act of the 92nd General Assembly applies to credit purchased by an employee on or after its effective date and does not entitle any person to a refund of contributions or interest already paid.

(k) An employee who was employed on a full-time basis by the Illinois State's Attorneys Association Statewide Appellate Assistance Service LEAA-ILEC grant project prior to the time that project became the State's Attorneys Appellate Service Commission, now the Office of the State's Attorneys Appellate Prosecutor, an agency of State government, may establish creditable service for not more than 60 months service for such employment by making contributions required under this Section.

(l) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, a member may establish service credit for periods of less than one year spent on authorized leave of absence from service, provided that (1) the period of leave began on or after January 1, 1982 and (2) any credit established by the member for the period of leave in any other public employee retirement system has been terminated. A member may establish service credit under this subsection for more than one period of authorized leave, and in that case the total period of service credit established by the member under this subsection may exceed one year. In determining the contributions required for establishing service credit under this subsection, the interest shall be calculated from the beginning of the leave of absence to the date of payment.

(m) Any person who rendered contractual services to a member of the General Assembly as a worker in the member's district office may establish creditable service for up to 3 years of those contractual services by making the contributions required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. To establish credit under this subsection, the applicant must apply to the System by March 1, 1998.

(n) Any person who rendered contractual services to a member of the General Assembly as a worker providing constituent services to persons in the member's district may establish creditable service for up to 8 years of those contractual services by making the contributions required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. To establish credit under this subsection, the applicant must apply to the System by March 1, 1998.

(o) A member who participated in the Illinois Legislative Staff Internship Program may establish creditable service for up to one year of that participation by making the contribution required under this Section. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. Credit may not be established under this subsection for any period for which

service credit is established under any other provision of this Code.

(p) By paying the contributions otherwise required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, a member may establish service credit for a period of up to 8 years during which he or she was employed by the Visually Handicapped Managers of Illinois in a vending program operated under a contractual agreement with the Department of Rehabilitation Services or its successor agency.

This subsection (p) applies without regard to whether the person was in service on or after the effective date of this amendatory Act of the 94th General Assembly. In the case of a person who is receiving a retirement annuity on that effective date, the increase, if any, shall begin to accrue on the first annuity payment date following receipt by the System of the contributions required under this subsection (p).

(q) By paying the required contributions under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest, an employee who was laid off but returned to State employment under circumstances in which the employee is considered to have been in continuous service for purposes of determining seniority may establish creditable service for the period of the layoff, provided that (1) the applicant applies for the creditable service under this subsection (q) within 6 months after the effective date of this amendatory Act of the 94th General Assembly, (2) the applicant does not receive credit for that period under any other provision of this Code, (3) at the time of the layoff, the applicant is not in an initial probationary status consistent with the rules of the Department of Central Management Services, and (4) the total amount of creditable service established by the applicant under this subsection (q) does not exceed 3 years. For service established under this subsection (q), the required employee contribution shall be based on the rate of compensation earned by the employee on the date of returning to employment after the layoff and the contribution rate then in effect, and the required interest shall be calculated from the date of returning to employment after the layoff to the date of payment.

(r) A member who participated in the University of Illinois Government Public Service Internship Program (GPSI) may establish creditable service for up to 2 years of that participation by making the contribution required under this Section, plus an amount determined by the Board to be equal to the employer's normal cost of the benefit plus interest. The System shall determine a full-time salary equivalent for the purpose of calculating the required contribution. Credit may not be established under this subsection for any period for which service credit is established under any other provision of this Code.

(Source: P.A. 94-612, eff. 8-18-05; 94-1111, eff. 2-27-07.)

(40 ILCS 5/14-152.2 new)

Sec. 14-152.2. New benefit increases. The General Assembly finds and declares that the amendment to Section 14-104 made by this amendatory Act of the 95th General Assembly that allows members to establish creditable service for certain participation in the University of Illinois Government Public Service Internship Program (GPSI) constitutes a new benefit increase within the meaning of Section 14-152.1. Funding for this new benefit increase will be provided by additional employee contributions under subsection (r) of Section 14-104.

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

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

On motion of Senator Crotty, **House Bill No. 2035** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **House Bill No. 2241** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **House Bill No. 2242** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cullerton, **House Bill No. 2734** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 2782** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator J. Jones, **House Bill No. 2783** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Delgado, **House Bill No. 2808** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 2858** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Jacobs, **House Bill No. 2918** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **House Bill No. 3131** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 3382** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Raoul, **House Bill No. 3393** having been printed, was taken up and read by title a second time.

Senate Committee Amendment No. 1 was held in the Committee on Judiciary Civil Law.

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

**AMENDMENT NO. 2 TO HOUSE BILL 3393**

AMENDMENT NO. 2. Amend House Bill 3393 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Sections 5.675 and 6z-69 as follows:

(30 ILCS 105/5.675 new)

Sec. 5.675. The Married Families Domestic Violence Fund.

(30 ILCS 105/6z-69 new)

Sec. 6z-69. Married Families Domestic Violence Fund. The Married Families Domestic Violence Fund is created as a special fund in the State treasury. Subject to appropriation and subject to approval by the Attorney General, the moneys in the Fund shall be paid as grants to public or private nonprofit agencies solely for the purposes of facilitating or providing free domestic violence legal advocacy, assistance, or services to married or formerly married victims of domestic violence related to order of protection proceedings, dissolution of marriage proceedings, declaration of invalidity of marriage proceedings, legal separation proceedings, child custody proceedings, visitation proceedings, or other proceedings for civil remedies for domestic violence. The Attorney General shall adopt rules concerning application for and disbursement of the moneys in the Fund.

Section 10. The Counties Code is amended by changing Sections 4-4001 and 4-12003 as follows:

(55 ILCS 5/4-4001) (from Ch. 34, par. 4-4001)

Sec. 4-4001. County Clerks; counties of first and second class. The fees of the county clerk in counties of the first and second class, except when increased by county ordinance pursuant to the provisions of this Section, shall be:

For each official copy of any process, file, record or other instrument of and pertaining to his office, 50¢ for each 100 words, and \$1 additional for certifying and sealing the same.

For filing any paper not herein otherwise provided for, \$1, except that no fee shall be charged for filing a Statement of economic interest pursuant to the Illinois Governmental Ethics Act or reports made pursuant to Article 9 of The Election Code.

For issuance of fireworks permits, \$2.

For issuance of liquor licenses, \$5.

For filing and recording of the appointment and oath of each public official, \$3.

For officially certifying and sealing each copy of any process, file, record or other instrument of and pertaining to his office, \$1.

For swearing any person to an affidavit, \$1.

For issuing each license in all matters except where the fee for the issuance thereof is otherwise fixed, \$4.

For issuing each marriage license, the certificate thereof, and for recording the same, including the recording of the parent's or guardian's consent where indicated, ~~\$20 \$15~~. \$5 from all marriage license fees shall be remitted by the clerk to the State Treasurer for deposit into the Married Families Domestic Violence Fund.

For taking and certifying acknowledgments to any instrument, except where herein otherwise provided for, \$1.

For issuing each certificate of appointment or commission, the fee for which is not otherwise fixed by law, \$1.

For cancelling tax sale and issuing and sealing certificates of redemption, \$3.

For issuing order to county treasurer for redemption of forfeited tax, \$2.

For trying and sealing weights and measures by county standard, together with all actual expenses in connection therewith, \$1.

For services in case of estrays, \$2.

The following fees shall be allowed for services attending the sale of land for taxes, and shall be charged as costs against the delinquent property and be collected with the taxes thereon:

For services in attending the tax sale and issuing certificate of sale and sealing the same, for each tract or town lot sold, \$4.

For making list of delinquent lands and town lots sold, to be filed with the Comptroller, for each tract or town lot sold, 10¢.

The foregoing fees allowed by this Section are the maximum fees that may be collected from any officer, agency, department or other instrumentality of the State. The county board may, however, by ordinance, increase the fees allowed by this Section and collect such increased fees from all persons and entities other than officers, agencies, departments and other instrumentalities of the State if the increase is justified by an acceptable cost study showing that the fees allowed by this Section are not sufficient to cover the cost of providing the service.

A Statement of the costs of providing each service, program and activity shall be prepared by the county board. All supporting documents shall be public record and subject to public examination and audit. All direct and indirect costs, as defined in the United States Office of Management and Budget Circular A-87, may be included in the determination of the costs of each service, program and activity.

The county clerk in all cases may demand and receive the payment of all fees for services in advance so far as the same can be ascertained.

The county board of any county of the first or second class may by ordinance authorize the county clerk to impose an additional \$2 charge for certified copies of vital records as defined in Section 1 of the Vital Records Act, for the sole purpose of defraying the cost of converting the county clerk's document storage system for vital records as defined in Section 1 of the Vital Records Act to computers or micrographics, and for maintaining such system.

The county board of any county of the first or second class may by ordinance authorize the county treasurer to establish a special fund for deposit of the additional charge. Moneys in the special fund shall be used solely to provide the equipment, material and necessary expenses incurred to help defray the cost of implementing and maintaining such document storage system.

(Source: P.A. 86-962.)

(55 ILCS 5/4-12003) (from Ch. 34, par. 4-12003)

Sec. 4-12003. Fees of county clerk in third class counties. The fees of the county clerk in counties of the third class are:

For issuing each marriage license, sealing, filing and recording the same and the certificate thereto (one charge), ~~\$35 \$30~~. \$5 from all marriage license fees shall be remitted by the clerk to the State Treasurer for deposit into the Married Families Domestic Violence Fund.

For taking, certifying to and sealing the acknowledgment of a deed, power of attorney, or other writing, \$1.

For filing and entering certificates in case of estrays, and furnishing notices for publication thereof (one charge), \$1.50.

For recording all papers and documents required by law to be recorded in the office of the county clerk, \$2 plus 30¢ for every 100 words in excess of 600 words.

For certificate and seal, not in a case in a court whereof he is clerk, \$1.

For making and certifying a copy of any record or paper in his office, \$2 for every page.

For filing papers in his office, 50¢ for each paper filed, except that no fee shall be charged for filing a Statement of economic interest pursuant to the Illinois Governmental Ethics Act or reports made

pursuant to Article 9 of The Election Code.

For making transcript of taxable property for the assessors, 8¢ for each tract of land or town lot. For extending other than State and county taxes, 8¢ for each tax on each tract or lot, and 8¢ for each person's personal tax, to be paid by the authority for whose benefit the transcript is made and the taxes extended. The county clerk shall certify to the county collector the amount due from each authority for such services and the collector in his settlement with such authority shall reserve such amount from the amount payable by him to such authority.

For adding and bringing forward with current tax warrants amounts due for forfeited or withdrawn special assessments, 8¢ for each lot or tract of land described and transcribed.

For computing and extending each assessment or installment thereof and interest, 8¢ on each description; and for computing and extending each penalty, 8¢ on each description. These fees shall be paid by the city, village, or taxing body for whose benefit the transcript is made and the assessment and penalties are extended. The county clerk shall certify to the county collector the amount due from each city, village or taxing body, for such services, and the collector in his settlement with such taxing body shall reserve such amount from the amount payable by him to such city, village or other taxing body.

For cancelling certificates of sale, \$4 for each tract or lot.

For making search and report of general taxes and special assessments for use in the preparation of estimate of cost of redemption from sales or forfeitures or withdrawals or for use in the preparation of estimate of cost of purchase of forfeited property, or for use in preparation of order on the county collector for searches requested by buyers at annual tax sale, for each lot or tract, \$4 for the first year searched, and \$2 for each additional year or fraction thereof.

For preparing from tax search report estimate of cost of redemption concerning property sold, forfeited or withdrawn for non-payment of general taxes and special assessments, if any, \$1 for each lot or tract.

For certificate of deposit for redemption, \$4.

For preparing from tax search report estimate of and order to county collector to receive amount necessary to redeem or purchase lands or lots forfeited for non-payment of general taxes, \$3 for each lot or tract.

For preparing from tax search report estimate of and order to county collector to receive amount necessary to redeem or purchase lands or lots forfeited for non-payment of special assessments, \$4 for each lot or tract.

For issuing certificate of sale of forfeited property, \$10.

For noting on collector's warrants tax sales subject to redemption, 20¢ for each tract or lot of land, to be paid by either the person making the redemption from tax sale, the person surrendering the certificate of sale for cancellation, or the person taking out tax deed.

For noting on collector's warrant special assessments withdrawn from collection 20¢ for each tract or lot of land, to be charged against the lot assessed in the withdrawn special assessment when brought forward with current tax or when redeemed by the county clerk. The county clerk shall certify to the county collector the amount due from each city, village or taxing body for such fees, each year, and the county collector in his settlement with such taxing body shall reserve such amount from the amount payable by him to such taxing body.

For taking and approving official bond of a town assessor, filing and recording same, and issuing certificate of election or qualification to such official or to the Secretary of State, \$10, to be paid by the officer-elect.

For certified copies of plats, 20¢ for each lot shown in copy, but no charge less than \$4.

For tax search and issuing Statement regarding same on new plats to be recorded, \$10.

For furnishing written description in conformity with permanent real estate index number, \$2 for each written description.

The following fees shall be allowed for services in matters of taxes and assessments, and shall be charged as costs against the delinquent property, and collected with the taxes thereon:

For entering judgment, 8¢ for each tract or lot.

For services in attending the tax sale and issuing certificates of sale and sealing the same, \$10 for each tract or lot.

For making list of delinquent lands and town lots sold, to be filed with the State Comptroller, 10¢ for each tract or lot sold.

The following fees shall be audited and allowed by the board of county commissioners and paid from the county treasury.

For computing State or county taxes, on each description of real estate and each person's, firm's or corporation's personal property tax, for each extension of each tax, 4¢, which shall include the

transcribing of the collector's books.

For computing, extending and bringing forward, and adding to the current tax, the amount due for general taxes on lands and lots previously forfeited to the State, for each extension of each tax, 4¢ for the first year, and for computing and extending the tax and penalty for each additional year, 6¢.

For making duplicate or triplicate sets of books, containing transcripts of taxable property, for the board of assessors and board of review, 3¢ for each description entered in each book.

For filing, indexing and recording or binding each birth, death or stillbirth certificate or report, 15¢, which fee shall be in full for all services in connection therewith, including the keeping of accounts with district registrars.

For posting new subdivisions or plats in official atlases, 25¢ for each lot.

For compiling new sheets for atlases, 20¢ for each lot.

For compiling new atlases, including necessary record searches, 25¢ for each lot.

For investigating and reporting on each new plat, referred to county clerk, \$2.

For attending sessions of the board of county commissioners thereof, \$5 per day, for each clerk in attendance.

For recording proceedings of the board of county commissioners, 15¢ per 100 words.

For filing papers which must be kept in office of comptroller of Cook County, 10¢ for each paper filed.

For filing and indexing contracts, bonds, communications, and other such papers which must be kept in office of comptroller of Cook County, 15¢ for each document.

For swearing any person to necessary affidavits relating to the correctness of claims against the county, 25¢.

For issuing warrants in payment of salaries, supplies and other accounts, and all necessary auditing and bookkeeping work in connection therewith, 10¢ each.

The fee requirements of this Section do not apply to units of local government or school districts. (Source: P.A. 86-962; 87-669)."

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

On motion of Senator Wilhelmi, **House Bill No. 3412** having been printed, was taken up and read by title a second time.

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

#### **AMENDMENT NO. 1 TO HOUSE BILL 3412**

AMENDMENT NO. 1. Amend House Bill 3412, on page 1, by replacing lines 7 and 8 with the following:

"(a) The taxi driver's picture, the taxi driver's license or registration number, and the taxicab medallion number or an exterior identification number must be posted in a visible location in"; and

on page 1, by replacing lines 12 through 14 with the following: "driver is operating the taxicab in a reckless manner."

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

On motion of Senator Garrett, **House Bill No. 3425** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **House Bill No. 3454** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Haine, **House Bill No. 3512** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dahl, **House Bill No. 3573** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 3578** was taken up, read by title a second time and ordered to a third reading.

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On motion of Senator Harmon, **House Bill No. 3588** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Burzynski, **House Bill No. 3597** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Silverstein, **House Bill No. 3604** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Maloney, **House Bill No. 3621** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sullivan, **House Bill No. 3667** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hultgren, **House Bill No. 3766** was taken up, read by title a second time and ordered to a third reading.

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Wilhelmi, **House Bill No. 6**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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.

On motion of Senator Link, **House Bill No. 32**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 52; Nays 1; Present 2.

The following voted in the affirmative:

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

The following voted in the negative:

Kotowski

The following voted present:

Burzynski  
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 in the Senate Amendment adopted thereto.

On motion of Senator Wilhelmi, **House Bill No. 33**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
Demuzio	Kotowski	Raoul	
Dillard	Lauzen	Righter	

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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.

On motion of Senator Millner, **House Bill No. 162**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
Demuzio	Kotowski	Raoul	
Dillard	Laufen	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.

On motion of Senator Koehler, **House Bill No. 167**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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

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Delgado	Koehler	Radogno	Mr. President
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.

On motion of Senator Link, **House Bill No. 169**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Ronen
Bomke	Frerichs	Link	Sandoval
Bond	Garrett	Luechtefeld	Schoenberg
Brady	Haine	Maloney	Sieben
Burzynski	Halvorson	Martinez	Silverstein
Clayborne	Harmon	Meeks	Sullivan
Collins	Hendon	Millner	Syverson
Cronin	Holmes	Munoz	Trotter
Crotty	Hultgren	Noland	Viverito
Cullerton	Hunter	Pankau	Watson
Dahl	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lauzen	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.

On motion of Senator Millner, **House Bill No. 181**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Link	Ronen
Bomke	Frerichs	Luechtefeld	Sandoval
Bond	Garrett	Maloney	Schoenberg
Brady	Haine	Martinez	Sieben
Burzynski	Halvorson	Meeks	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Holmes	Munoz	Syverson
Cronin	Hultgren	Murphy	Trotter
Crotty	Hunter	Noland	Viverito

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Cullerton	Jacobs	Pankau	Watson
Dahl	Jones, J.	Peterson	Wilhelmi
DeLeo	Koehler	Radogno	Mr. President
Delgado	Kotowski	Raoul	
Demuzio	Lauzen	Righter	
Dillard	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.

On motion of Senator Hendon, **House Bill No. 204**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Frerichs	Link	Ronen
Bomke	Garrett	Luechtefeld	Sandoval
Bond	Haine	Maloney	Schoenberg
Brady	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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.

On motion of Senator Collins, **House Bill No. 209**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Forby	Lauzen	Raoul
Bomke	Frerichs	Lightford	Risinger
Bond	Garrett	Link	Ronen
Brady	Haine	Luechtefeld	Sandoval
Burzynski	Halvorson	Maloney	Schoenberg
Clayborne	Harmon	Martinez	Sieben

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Collins	Hendon	Meeks	Silverstein
Cronin	Holmes	Millner	Sullivan
Crotty	Hultgren	Munoz	Syverson
Cullerton	Hunter	Murphy	Trotter
Dahl	Jacobs	Noland	Watson
DeLeo	Jones, J.	Pankau	Wilhelmi
Delgado	Koehler	Peterson	Mr. President
Demuzio	Kotowski	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.

On motion of Senator Sieben, **House Bill No. 215**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Sandoval
Bond	Haine	Maloney	Schoenberg
Brady	Halvorson	Martinez	Sieben
Burzynski	Harmon	Meeks	Silverstein
Clayborne	Hendon	Millner	Sullivan
Collins	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Watson
Dahl	Jacobs	Pankau	Wilhelmi
DeLeo	Jones, J.	Peterson	Mr. President
Delgado	Koehler	Radogno	
Demuzio	Kotowski	Raoul	
Dillard	Laufen	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.

On motion of Senator Holmes, **House Bill No. 223**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Ronen
Bomke	Frerichs	Link	Sandoval
Bond	Garrett	Luechtefeld	Schoenberg
Brady	Haine	Maloney	Sieben

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Burzynski	Halvorson	Martinez	Silverstein
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	Mr. President
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.

On motion of Senator Hultgren, **House Bill No. 237**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Ronen
Bomke	Frerichs	Link	Sandoval
Bond	Garrett	Luechtefeld	Schoenberg
Brady	Haine	Maloney	Sieben
Burzynski	Halvorson	Martinez	Silverstein
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.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lauzen	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.

On motion of Senator Millner, **House Bill No. 239**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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.

On motion of Senator Martinez, **House Bill No. 257**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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.

On motion of Senator Koehler, **House Bill No. 258**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 55; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Lauzen	Righter
Bomke	Forby	Link	Ronen
Bond	Frerichs	Luechtefeld	Sandoval
Brady	Garrett	Maloney	Schoenberg
Burzynski	Haine	Martinez	Sieben
Clayborne	Halvorson	Meeks	Silverstein
Collins	Harmon	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	Mr. President
Demuzio	Kotowski	Raoul	

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.

On motion of Senator Crotty, **House Bill No. 264**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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.

On motion of Senator Hendon, **House Bill No. 270**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

[May 15, 2007]

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

On motion of Senator Noland, **House Bill No. 285**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Frerichs	Link	Ronen
Bomke	Garrett	Luechtefeld	Sandoval
Bond	Haine	Maloney	Schoenberg
Brady	Halvorson	Martinez	Sieben
Burzynski	Harmon	Meeks	Silverstein
Clayborne	Hendon	Millner	Sullivan
Collins	Holmes	Munoz	Syverson
Cronin	Hultgren	Murphy	Trotter
Crotty	Hunter	Noland	Viverito
Cullerton	Jacobs	Pankau	Watson
Dahl	Jones, J.	Peterson	Wilhelmi
DeLeo	Koehler	Radogno	Mr. President
Delgado	Kotowski	Raoul	
Demuzio	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.

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On motion of Senator J. Jones, **House Bill No. 286**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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.

On motion of Senator Raoul, **House Bill No. 295**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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).

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Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **House Bill No. 333**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Link	Ronen
Bomke	Frerichs	Luechtefeld	Sandoval
Bond	Garrett	Maloney	Schoenberg
Brady	Haine	Martinez	Sieben
Burzynski	Halvorson	Meeks	Silverstein
Clayborne	Harmon	Millner	Sullivan
Collins	Hendon	Munoz	Syverson
Cronin	Holmes	Murphy	Trotter
Crotty	Hultgren	Noland	Viverito
Cullerton	Hunter	Pankau	Watson
Dahl	Jones, J.	Peterson	Wilhelmi
DeLeo	Koehler	Radogno	Mr. President
Delgado	Kotowski	Raoul	
Demuzio	Lauzen	Righter	
Dillard	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.

On motion of Senator Link, **House Bill No. 352**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 1.

The following voted in the affirmative:

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

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The following voted in the negative:

Millner

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.

On motion of Senator Noland, **House Bill No. 357**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Dillard	Kotowski	Raoul
Bomke	Forby	Lightford	Richter
Bond	Frerichs	Link	Ronen
Brady	Garrett	Luechtefeld	Sandoval
Burzynski	Haine	Maloney	Schoenberg
Clayborne	Halvorson	Martinez	Sieben
Collins	Harmon	Meeks	Silverstein
Cronin	Hendon	Millner	Sullivan
Crotty	Holmes	Munoz	Syverson
Cullerton	Hultgren	Murphy	Trotter
Dahl	Hunter	Noland	Watson
DeLeo	Jacobs	Pankau	Wilhelmi
Delgado	Jones, J.	Peterson	Mr. President
Demuzio	Koehler	Radogno	

The following voted present:

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.

On motion of Senator Link, **House Bill No. 364**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 3.

The following voted in the affirmative:

Althoff	Frerichs	Link	Risinger
Bomke	Garrett	Luechtefeld	Ronen
Bond	Haine	Maloney	Sandoval
Brady	Halvorson	Martinez	Schoenberg
Clayborne	Harmon	Meeks	Sieben
Collins	Hendon	Millner	Silverstein

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Cronin	Holmes	Munoz	Sullivan
Crotty	Hultgren	Murphy	Trotter
Cullerton	Hunter	Noland	Viverito
DeLeo	Jacobs	Pankau	Watson
Delgado	Jones, J.	Peterson	Wilhelmi
Demuzio	Koehler	Radogno	Mr. President
Dillard	Kotowski	Raoul	
Forby	Lightford	Righter	

The following voted in the negative:

Burzynski  
Dahl  
Lauzen

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Althoff, **House Bill No. 365**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Sandoval
Bomke	Garrett	Maloney	Schoenberg
Bond	Haine	Martinez	Sieben
Brady	Halvorson	Meeks	Silverstein
Burzynski	Harmon	Millner	Sullivan
Collins	Hendon	Munoz	Syverson
Cronin	Holmes	Murphy	Trotter
Crotty	Hultgren	Noland	Viverito
Cullerton	Hunter	Pankau	Watson
Dahl	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lauzen	Risinger	
Forby	Lightford	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.

On motion of Senator Althoff, **House Bill No. 371**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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.

[May 15, 2007]

The following voted in the affirmative:

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

On motion of Senator Collins, **House Bill No. 407**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 58; Nays None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Ronen
Bond	Garrett	Luechtefeld	Sandoval
Brady	Haine	Maloney	Schoenberg
Burzynski	Halvorson	Martinez	Sieben
Clayborne	Harmon	Meeks	Silverstein
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	Mr. President
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.

On motion of Senator Koehler, **House Bill No. 421**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

[May 15, 2007]

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

On motion of Senator Schoenberg, **House Bill No. 425**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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	Sandoval
Bomke	Frerichs	Link	Schoenberg
Bond	Garrett	Luechtefeld	Sieben
Brady	Haine	Maloney	Silverstein
Burzynski	Halvorson	Martinez	Sullivan
Clayborne	Harmon	Meeks	Syverson
Collins	Hendon	Millner	Trotter
Cronin	Holmes	Munoz	Viverito
Crotty	Hultgren	Murphy	Watson
Cullerton	Hunter	Noland	Wilhelmi
Dahl	Jacobs	Pankau	Mr. President
DeLeo	Jones, J.	Raoul	
Delgado	Koehler	Righter	
Demuzio	Kotowski	Risinger	
Dillard	Lauzen	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.

[May 15, 2007]



On motion of Senator E. Jones, **House Bill No. 426**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

Yeas 48; Nays 10.

The following voted in the affirmative:

Althoff	Dillard	Link	Schoenberg
Bomke	Forby	Maloney	Sieben
Bond	Garrett	Martinez	Silverstein
Brady	Haine	Meeks	Sullivan
Clayborne	Halvorson	Millner	Trotter
Collins	Harmon	Munoz	Viverito
Cronin	Hendon	Noland	Watson
Crotty	Holmes	Pankau	Wilhelmi
Cullerton	Hunter	Radogno	Mr. President
Dahl	Jacobs	Raoul	
DeLeo	Koehler	Risinger	
Delgado	Kotowski	Ronen	
Demuzio	Lightford	Sandoval	

The following voted in the negative:

Burzynski	Jones, J.	Murphy	Syverson
Frerichs	Lauzen	Peterson	
Hultgren	Luechtefeld	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.

At the hour of 5:05 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, May 16, 2007, at 10:00 o'clock a.m.